

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

CRP.MP.No.4710 of 2016 in/And C.R.P.No.2754 of 2016

ORDER:

This civil revision petition is filed by the respondent in the appeal Case No.F2/ IA-27/ 2013 (File No.F2/ 2585/ 2013) on the file of the Court of the learned Joint Collector at Mahabubnagar assailing the order of the learned Joint Collector dated 20.12.2014 in the aforementioned appeal whereby the learned Joint Collector allowed the said appeal and set aside the ORC, dated 02.08.2002, in File No.A/ 1170/ 2002, of the Revenue Divisional Officer, Narayanpet.

The 1st respondent died. The revision petitioner and the respondents 2 to 4, the legal representatives of the deceased 1st respondent, are not appearing in person before this Court.

At the hearing, the learned counsel for the petitioner and the learned counsel for the respondents 2 to 4 would submit that the parties have settled the matter and that a memorandum of terms of compromise is filed along with CRP.MP.No.4710 of 2016 requesting to allow the CRP and set aside the order impugned in the CRP.

Sri Bajrang Sing Thakur, learned counsel for the revision petitioner, submits that he holds special Vakalat for the revision petitioner and that CRP.MP.No.4886 of 2016 is filed for permission to represent the revision petitioner and admit the terms of compromise on her behalf before this Court. Similarly, Sri Venkataiah Ediga, learned counsel for the respondents 2 to 4, also would submit that he holds special Vakalat for the said respondents and that he filed CRP.MP.No.4885 of 2016 for permission to appear on their behalf and admit the terms of compromise before this Court. The revision petitioner and the 3rd respondent filed their affidavits in support of the above applications. In

the said affidavits they stated that the petitioner and the respondents have settled the matter in the presence of village elders and executed memorandum of compromise and that special vakalats are given to the counsel for admitting the terms of compromise and getting the settlement recorded before this Court and prayed for disposing of the CRP in terms of the compromise.

The said MPs are ordered.

The terms of compromise, which are reduced into memorandum of terms of compromise, read as follows:

1. The respondent no.2 to 4 accepts about the giving the statement of their father before the Revenue Divisional Officer at Narayanpet as true and correct and accepts and agrees the orders by the said authority in File No:A/1170/2002, dt:02-08-2002 as true and correct and binding against us.
2. The respondents no.2 to 4 further agrees as the petitioner herein is the rightful owner and possessor on the basis of the Occupancy certificate issued by the Revenue Divisional officer, Narayanpet in respect of Sy.No:45/EE, to an extent of 01 Ac.22 Gts., situated at Udimeshwaram village of Kodangal Mandal, Dist: Mahabub Nagar, neither ourselves nor any of our heirs will not have any type of claim or right for the said property at any point of time and the petitioner can enjoy it as it's owned and exclusive property.
3. The respondents no.2 to 4 have no objection to allow the prayer as prayed in the CRP in favour of the petitioner, except the costs. Further we the parties have given special vakalats to our respective counsels to record the compromise before the Hon'ble Court.

Both the learned counsel holding special vakalats for the respective parties admitted the terms of compromise and stated that the parties have entered into compromise voluntarily with free will and consent and that the revision petitioner affixed the thumb impression on the memorandum of compromise and the respondents 2 to 4 signed the same in their presence. The said memorandum is also signed by the learned counsel holding special vakalats for the parties.

Accordingly, the Civil Revision Petition is allowed and the order impugned is set aside and the order of the RDO, Narayanpet is restored. The memorandum of terms of compromise shall form part of this order. CRP.MP.No.4710 of 2016 is ordered.

No order as to costs.

Miscellaneous petitions pending, if any, in this revision shall stand closed.

JUSTICE M. SEETHARAMA MURTI

18.08.2016
Vjl

