

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO**

C.C.C.A.M.P.No.252 of 2016

in/and

C.C.C.A.No.62 of 2014

JUDGMENT: (Per Hon'ble Sri Justice Sanjay Kumar)

The appellant in this appeal filed CCCAMP.No.252 of 2016 to record the compromise in the appeal and pass suitable orders thereon.

This appeal under Section 96 CPC arises out of the final decree passed by the learned III Senior Civil Judge, City Civil Court, Secunderabad, in I.A.No.1308 of 2007 in O.S.No.369 of 2005. Perusal of the final decree reflects that the report of the Advocate Commissioner was acted upon and shares were allotted to the plaintiff and defendants 2 to 5 in the suit. No share was allotted to defendants 6 to 11 who were consequentially shown as not necessary parties in this appeal. The appellant is defendant 2 while respondent 1 is the plaintiff and respondents 2 to 5 are defendants 1, 3, 4 and 5.

While so, it appears that the parties to the appeal have now settled the matter out of Court and reduced the terms of their settlement to a written Memorandum of Compromise dated nil which was filed on 28.04.2016 along with CCCAMP.No.252 of 2016. The same is placed before this Court.

Sri Ch. Srinivas, learned counsel for the petitioner/appellant, and Sri Nazir Ahmed Khan, learned counsel for the respondents/respondents, identified their respective clients who also produced their photo identity proof.

In the light of the afore-stated developments, CCCAMP.No.252 of 2016 is ordered and the CCCA is disposed of in terms of the Compromise Memo filed along with CCCAMP.No.252 of 2016, which is accordingly made part of the judgment and shall be incorporated in the decree in this appeal.

Pending miscellaneous petitions, if any, shall stand closed in

the light of this final order. No order as to costs.

SANJAY KUMAR, J

Dr. B. SIVA SANKARA RAO, J

12th July, 2016
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