

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

SECOND APPEAL No.972 of 2017

JUDGMENT:

A memo dated 20.12.2017 is filed by learned counsel for the appellant/defendant and the said memo reads as under:

"It is submitted that the respondent herein filed suit in O.S.No.218 of 2007 against the petitioner on the file of Principal Junior Civil Judge, Adoni seeking delivery possession of suit property in respect of house bearing D.No.19/218 and also sought mesne profits and same was decreed in her favour on 23.3.2011. The petitioner filed A.S.No.37 of 2011 on the file of II Addl. Dist. Judge, Kunrool and same was dismissed on 18.7.2017. Aggrieved by the said Judgment and decree, the petitioner has filed above S.A.No.972 of 2017 same is pending before the Hon'ble High Court. In the meanwhile, the respondent filed Memo in E.P.No.4 of 2012 stating that the A.S.No.37 of 2011 was dismissed and sought delivery of property and basing on such memo the trial court issued delivery warrant on 21.7.2017. Aggrieved by the same, the petitioner filed CRP No.3916 of 2017.

It is submitted that in the meanwhile the parties entered into compromise and the petitioner has filed purchased suit property from the respondent through Regd. Sale deed dated 25.10.2016 vide document No.7936/2017 and the respondent filed stating above facts and sought dismissal E.P. On such Memo the trial court dismissed the E.P. on 24.10.2017. Recording the said compromise, this Hon'ble Court was pleased to close CRP No.3916 of 2017 on 05.12.2017.

It is therefore prayed that this Hon'ble Court may be pleased to pass appropriate orders in the above SA by recording the said compromise in the interest of justice and pass such other order or orders which are necessary."

In view of the above memo dated 20.12.2017, the second appeal is closed.

Consequently pending miscellaneous petitions if any, in the second appeal shall also stand closed. No order as to costs.

A.V. SESA SAI, J

Date: 27.12.2017

slk

