

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

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HON' BLE SRI JUSTICE N. BALAYOGI

L.P.A.No. 146 of 1997 and A.S.No. 1714 of 1998

COMMON JUDGMENT:- (ORAL)

(Per Hon' ble Sri Justice Suresh Kumar Kait)

This Court, by Common Judgment dated 17.02.2006, while dismissing L.P.A.No. 146 of 1997, disposed of A.S.No.1714 of 1998 granting a final decree in terms of the common judgment. It is also observed that the judgment and final decree in I.A.No. 160 of 1987 in O.S.No. 20 of 1985, dated 17.04.1995 shall stand modified accordingly. This Court further observed that the final decree shall be drawn in terms of the judgment after the warrant is executed by the Commissioner.

The learned counsel for the respondents submits that he has no objection if the final decree is passed.

In view of the above submission, the Commissioner's Report dated 12.08.2005 is accepted in toto. The Registry is directed to prepare a final decree in terms of the Commissioner's Report dated 12.08.2005.

Accordingly, A.S.No. 1714 of 1998 is disposed of. No order as to costs.

Insofar as L.P.A.No. 146 of 1997 is concerned, since this Court already dismissed L.P.A.No. 146 of 1997 by virtue of the

Common Judgment dated 17.02.2006, no further orders are required to be passed in this appeal. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

31.08.2017

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SURESH KUMAR KAIT, J

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N. BALAYOGI, J

