

**HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA**

**A.S.M.P. No.2232 OF 2017**

**IN/AND**

**APPEAL SUIT No.175 OF 2017**

**COMMON JUDGMENT:**

Compromise Petition in A.S.M.P. No.2232 of 2017 is filed by the appellants - defendants, under Order - XXIII Rule - 3 of the Code of Civil Procedure, 1908, requesting to record the compromise between the parties in pursuance of the terms of the Joint Compromise Memo dated 05.07.2017 signed by both parties and their respective counsel, along with the Memorandum of Understanding dated 'Nil' and the receipts dated 18.04.2017 and 24.04.2017, which are filed along with the petition.

2. The present appeal suit is preferred, under Section 96 of the Code of Civil Procedure, 1908, challenging the judgment and the decree dated 13.10.2016 in O.S. No.1581 of 2014, passed by the learned Principal Senior Civil Judge, Ranga Reddy District at L.B. Nagar, Hyderabad.

3. The appellants - defendants and the sole respondent - plaintiff and their respective counsel are present and the parties are identified by their counsel. The parties have also produced photostat copies of their 'Aadhar Cards' for their identification.

4. In a suit for recovery of money filed by the respondent, the trial Court passed the decree under challenge for Rs.7,85,000/- with subsequent interest at 6% per annum on Rs.5,00,000/- from the date of suit till realization and with costs.

5. The appellants having preferred the present appeal, however, entered into compromise which is reduced into a Memorandum of Understanding, annexed to the compromise petition, referred to above, according to which, the sole respondent - plaintiff agreed to receive Rs.5,40,000/- towards full satisfaction of the decree under challenge.

6. When asked, the appellants and the respondent report that they have compromised the matter outside the Court at the intervention of the elders, friends and the well-wishers, and they are aware of the terms incorporated in the Memorandum of Understanding, referred to above, entered into between them, and request to record the compromise and they have affirmed the contents mentioned in the Joint Compromise Memo and the Memorandum of Understanding, and also attested on the case bundle to that effect.

7. Since both the parties have affirmed the terms of the Memorandum of Understanding and the Joint Compromise Memo referred to above, and having satisfied as to the terms mentioned therein, in terms thereof, A.S.M.P. No.2232 of 2017 is allowed recording the compromise between the parties.

8. Consequently, the present Appeal Suit is disposed of, so far as the parties to the suit are concerned. The Joint Compromise Memo and the Memorandum of Understanding referred to above shall form part of the record.

As a sequel thereto, Miscellaneous Applications, if any, pending in the appeal stand closed.

**October 9, 2017.**

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**A. SHANKAR NARAYANA**

