

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

S.A.M.P.No.2592 of 2017

And

SECOND APPEAL No.1024 of 2013

JUDGMENT:

This appeal is filed assailing the judgment and decree dated 25.04.2012 in A.S.No.376 of 2010 (old A.S.No.177 of 2009) on the file of the Court of XI Additional District and Sessions Judge, Gudivada, wherein whereby the decree and judgment dated 31.08.2009 in O.S.No.257 of 2005 on the file of the Court of Junior Civil Judge, Gannavaram, dismissing the suit filed by the plaintiff for perpetual injunction, was reversed.

2. S.A.M.P.No.2592 of 2017 is filed by the petitioners-appellants seeking to pass decree in the appeal in terms of the compromise arrived at between the parties.

3. Appellants 1 and 2 are present. Mrs.Kumari G.K.V.D., learned counsel identified the appellants. Pending appeal, the first respondent died. Respondents 2 and 3, who are LR's of deceased first respondent, were brought on record. Respondents 2 and 3 are present. Sri Sai Gangadhar Chamarthi, learned counsel identified respondents 2 and 3.

4. Appellants 1 and 2 and respondents 2 and 3 in the open Court submitted that they entered into a compromise. This Court explained the terms and conditions of the compromise deed in Telugu to the parties. The appellants and the respondents admitted that the recitals in compromise deed are true and correct.

5. In view of the submission made by both the counsel and also in terms of the compromise arrived at between the parties, S.A.M.P.No.2592 of 2017 is ordered and the second appeal is allowed in terms of compromise. Registry is directed to append the memo of compromise to the decree copy. There shall be no order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

T.SUNIL CHOWDARY, J

17th November, 2017

Rns

