

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

SECOND APPEAL No.170 of 2013

JUDGMENT:

This appeal is filed under Section 100 CPC assailing the judgment and decree dated 20.11.2006 in cross objections in A.S.No.76 of 2006 on the file of the Court of Principal District Judge, West Godavari at Eluru, wherein whereby the judgment and decree dated 03.02.2006 in O.S.No.40 of 1990 on the file of the Court of Senior Civil Judge, Bhimavaram, decreeing the suit filed by the plaintiffs for eviction of defendant from suit schedule premises and for damages, was confirmed.

2. At the time of arguments, both counsel with one voice submitted that both parties came to an understanding. They further submitted that as per the said understanding, the plaintiffs are entitled for rent at Rs.600/- per month and interest @ 6% per annum on the arrears of rent.

3. In view of the submissions made by both counsel, this Court is not inclined to go into the merits of the main appeal. In view of the understanding arrived at between the parties, the plaintiffs are not entitled for damages at Rs.800/- per month.

4. In the result, the appeal is disposed of holding that the plaintiffs are entitled for rent @ Rs.600/- per month with effect from 01.07.1988 till the date of defendants vacating the premises, i.e. 11.03.2007. The plaintiffs are also entitled for interest @ 6% per annum on arrears of rent. However, disposal

of this second appeal does not preclude the defendants to recover the excess amount, if any, paid by them. No order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

T.SUNIL CHOWDARY, J

22nd December, 2017

Rns

