

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

A.S.M.P.No. 1766 OF 2017
AND
APPAL SUIT No. 245 OF 2008

J U D G M E N T:

This Appeal has been preferred against the judgment and decree dated 16.11.2007 in O.S. No. 61 of 2003 on the file of the Principal District Judge's Court, East Godavari at Rajahmundry.

The suit was filed for partition of the plaint schedule properties into four equal shares and for allotment of one such share to the sole respondent herein. The said suit was decreed and a preliminary decree was passed.

While entertaining this Appeal, on 09.04.2008, this Court granted interim stay of passing final decree on condition of depositing suit costs within four weeks from that date. Thereafter, on the death of the sole respondent, her legal representatives were brought on record as Respondents 2 to 6 *vide* order dated 23.08.2013 in A.S.M.P.No. 1905 of 2013.

While the matter stood thus, on 18.12.2017, A.S.M.P.No. 1766 of 2017, which was taken out to record compromise, was directed to be listed on 27.12.2017. On account of the fact that the learned Judge having roster to hear this Appeal is on leave, Sri B. Somasekhara, learned counsel appearing for the appellants and Sri Challa Dhanamjaya, learned counsel for the respondents requested this Court to take up this matter as lunch motion. As the parties have travelled all the way from Rajahmundry and other places, as per the directions of the Court, it is taken up at 02.30 P.M.

The terms of compromise have been reduced to writing and a memo to that effect, duly signed by both the parties, has been annexed to the Application. Both the parties, identified by their respective counsel, are present in the Court. They have admitted the compromise entered into by and between them and requested this Court to pass a decree according thereto.

In the light of the compromise memo, A.S.M.P. No. 1766 of 2017 is ordered. Registry is therefore, directed to draft a decree in terms thereof.

The Appeal is accordingly, disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall stand disposed of.

27th December 2017

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CHALLA KODANDA RAM, J

