

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

A.S.M.P.No.1008 of 2017

and

A.S.No.916 of 2012

JUDGMENT

The appeal is preferred against the judgment and decree dated 26.07.2012 in O.S.No.73 of 2006 on the file of Senior Civil Judge, Jagtial.

2. Respondents 1 to 4/plaintiffs filed suit in O.S.No.73 of 2006 for partition against the appellant/D1 and R5 and R6. By judgment dated 26.07.2012, the trial Court passed a preliminary decree. Aggrieved by the same, the first defendant filed the present appeal. During pendency of the appeal, both parties filed A.S.M.P. No.1008 of 2017 stating that they have entered into compromise at the intervention of elders and prayed for recording compromise and disposal of appeal in terms of the compromise.

3. Both parties are present before the Court and are identified by their respective counsel. They reported that the matter is settled out of Court in terms of the compromise. They admitted the contents, terms and conditions of the compromise and signed in proof thereof. Petitioner/appellant stated before the Court that she paid a sum of Rs.26,00,000/- out of the total amount of Rs.32,00,000/- to R1 to R4 with regard to item No.2 of suit schedule property and receipt of the same is admitted by R1 to R4. She also paid the balance amount of

Rs.6,00,000/- to R1 to R4 in the open Court. Both parties affixed their signatures on the compromise petition in the open court.

4. In that view of the matter, ASMP No.1008 of 2017 is allowed and the compromise is recorded. Consequently, the appeal is disposed of, in terms of the compromise. No order as to costs. Miscellaneous applications, if any, pending in this appeal shall stand closed.

27th April, 2017
sj

M.S.K.JAISWAL,J

