

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE TODUPUNURI AMARNATH GOUD

C.M.A.M.P.No.1737 of 2017 IN C.M.A. No. 936 of 2017
AND
C.M.A. No. 936 of 2017

COMMON ORDER: *(per Hon'ble Sri Justice Sanjay Kumar)*

This appeal under Section 37 of the Arbitration and Conciliation Act, 1996 (for short 'the Act of 1996') arises out of the order dated 23.01.2014 passed by the learned I Additional District Judge, Ranga Reddy District at L.B. Nagar, in Arbitration O.P.No.840 of 2012, a petition filed under Section 9 of the Act of 1996.

While so, C.M.A.M.P.No.1737 of 2017 was filed by the appellants praying that this Court may record the compromise entered into by and between the parties and allow the appeal. The Joint Compromise Memo dated 06.09.2017 signed by the second appellant representing the first appellant, the first respondent and their counsel is placed on record. In terms of the General Power of Attorney dated 20.09.2017 executed by the first appellant-firm and its partners, the second appellant was authorised to file this compromise petition. The second appellant and the first respondent are present in person and produced their Aadhar Cards in proof of their identity.

Perusal of the aforestated Joint Compromise Memo reflects that at the intervention of elders and well wishers, the appellants and the first respondent resolved their disputes by entering into a joint compromise memo dated 19.12.2016 and in terms thereof, the first respondent declared that he has no claim whatsoever against the first appellant-firm, as he relinquished all his claims therein. The parties therefore agreed that

the appeal arising out of the order passed by the Court below under Section 9 of the Act of 1996 may be allowed by duly setting it aside.

C.M.A.M.P.No.1737 of 2017 is therefore ordered. The appeal is accordingly allowed setting aside the order dated 23.01.2014 in Arbitration O.P.No.840 of 2012 on the file of the learned I Additional District Judge, Ranga Reddy District at L.B. Nagar. The terms of the compromise contained in the Joint Compromise Memos dated 19.12.2016 and 06.09.2017 shall form part of the record.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

Date: 21.09.2017

va



JUSTICE SANJAY KUMAR

JUSTICE T. AMARNATH GOUD