

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

ASMP.No. 732 of 2017 in Tr.AS No.443 of 2005

and

Tr.AS.No. 443 of 2005

JUDGMENT:

The plaintiff in O.S.No.5 of 1988 on the file of the Subordinate Judge, Medak, preferred the present appeal against the judgment and decree dated 15.11.1996, by and under which, the Court below, dismissed the suit of the plaintiff for declaration of title, ownership, and for recovery of possession of agricultural land admeasuring Ac.4.07 guntas in Sy.No.187 situated at Annaram village, Jinnaram mandal, Medak district.

2. During pendency of the appeal, both parties filed ASMP No.732 of 2017, stating that they have entered into compromise and settled the matter out of Court amicably, and prayed for recording the terms of compromise and to allow the appeal in terms of the said compromise.

3. Both the parties to the appeal are present in person, produced their proof of identity, and are duly identified by their respective counsel.

4. Heard both sides and considered the material on record.

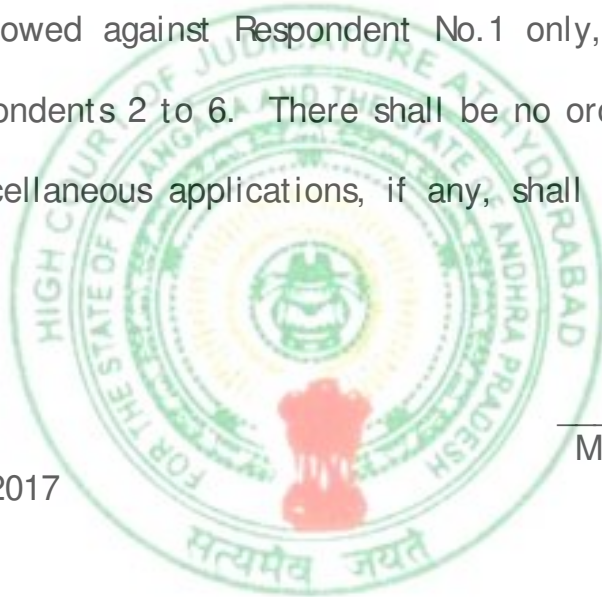
5. Both the parties have admitted the contents, terms and conditions of the compromise, and in proof thereof, affixed their signatures on the compromise petition in the open Court. As per the Memorandum of Compromise, the main appeal has been agreed to be allowed in so far as the suit schedule land, and the 1st

Respondent shall not claim any rights whatsoever in or over the said land. It is further mentioned in the Memorandum of Compromise itself that the Respondent No.2 herein died long back, and he is represented by the Respondents 3 and 4 herein, who remained absent, and the other Respondents 5 and 6, who have also remained absent and set *ex parte*. The compromise appears to be voluntary and therefore the same is accepted.

6. In view of the above, ASMP No.732 of 2017 is allowed and the Memorandum of Compromise is recorded. Consequently, the appeal is allowed against Respondent No.1 only, and dismissed against Respondents 2 to 6. There shall be no order as to costs. Pending miscellaneous applications, if any, shall stand closed in consequence.

Date: 03.04.2017
Kv

M. S. K. JAISWAL, J



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