

THE HON'BLE SMT. JUSTICE ANIS

SA MP NO. 40 OF 2017

AND

S.A. NO. 533 OF 2011

COMMON JUDGMENT:

The plaintiffs in OS No. 239 of 2000 on the file of the learned VI Addl. Senior Civil Judge, Medchal, Rangareddy district filed AS No.158 of 2007 before the learned I Addl. Dist. Judge, Rangareddy District, being aggrieved by the dismissal of the suit. The said appeal AS No. 158 of 2007 was allowed by the lower appellate court and the defendants being aggrieved thereby, filed the present second appeal.

The Second Appeal was admitted on 04.11.2011 and the parties to the second appeal as on that date were directed to maintain status quo as regards possession of the suit schedule property. Subsequently, respondents 5 and 6, who are said to be agreement holders in respect of the suit schedule property and some other property, were impleaded by order of this court dated 25.01.2017 passed in SAMP No. 2594 of 2016 inasmuch as neither the counsel for the appellants nor the counsel for the respondents had any objection.

Now SAMP No.40 of 2017 is filed praying the court to receive and record the Memorandum of Compromise entered into between the appellants and respondents 1 to 4 and the impleaded respondents 5 and 6 on 06.01.2017 and to allow the Second Appeal, in terms of the

Memorandum of Compromise, which is filed along with the interlocutory application.

This court, by order dated 25.01.2017, has referred the Second Appeal along with SAMP No. 40 of 2017 to the High Court Legal Services Authority for recording compromise, which has passed an Award dated 11.02.2017 signed by the parties on either side and their counsel as well.

In terms of the Award passed by the High Court Legal Services Authority, the Second Appeal is disposed of and the SAMP No.40 of 2017 is ordered accordingly. No costs.

The Registry is directed to draft the decree in terms of the Award dated 11.02.2017. Since it is evident that some more extent of land is brought within the purview of the Second Appeal, by virtue of subsequent transactions that took place in between the parties to the suit and the impleaded respondents 5 and 6, it is expedient to direct the parties to bear additional court fee, if any.

As a sequel, Miscellaneous Petitions, if any, pending in this Second Appeal shall stand closed.

JUSTICE ANIS

27th February, 2017
MAS

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S.A. No. 533 OF 2011

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MAS