

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

ASMP.No. 659 of 2017 in ASNo.349 of 2014

and

AS.No. 349 of 2014

JUDGMENT:

The 1<sup>st</sup> Defendant in O.S.No.230 of 2008 on the file of the I Additional District Judge, Guntur, preferred the present appeal against the judgment and decree dated 12.07.2013, by and under which, the Court below decreed the suit of the plaintiff granting specific performance of agreement of sale dated 03.01.2005.

2. During pendency of the above appeal, both the parties filed ASMP No. 659 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 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; the appellant/ 1<sup>st</sup> defendant agreed to give/ register the land of Ac.0.25 cents of his half share of the suit schedule property to the 1<sup>st</sup> respondent/plaintiff; and the 1<sup>st</sup> Respondent/

Plaintiff relinquish all his rights either in the agreement dated 03.01.2015 or in the decree granted by the court below. The compromise appears to be voluntary and therefore the same is accepted.

6. In view of the above, ASMP No.659 of 2017 is allowed and the Memorandum of Compromise is recorded. Consequently, the appeal is allowed as prayed for in terms of the compromise, and the judgment and decree of the Court below is set aside. 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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