

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

C.C.C.A. M.P. No.491 OF 2017

IN/AND

C.C.C.A. No.50 OF 2013

COMMON ORDER:

The present City Civil Court Appeal is preferred against the judgment and decree, dated 23.06.2012, in O.S. No.319 of 2007 on the file of II-Additional Chief Judge, City Civil Court, Hyderabad, whereby and whereunder the suit is partly decreed against the defendant with proportionate costs for Rs.11,75,000/- with interest at 12% p.a. from the date of suit i.e., from 20.04.2007 till date of decree i.e., 23.6.2012 and thereafter at 6% p.a. till realization.

2. C.C.C.A. M.P. No.491 of 2017 is filed by the petitioner/appellant/defendant under Order XXIII Rule 3 of Code of Civil Procedure along with Memorandum of Compromise, signed and affirmed by both parties. They request to record the compromise stating that they settled the dispute by way of adjustment out of Court as the respondent/plaintiff agreed and accepted to receive Rs.7,04,986/- towards full and final satisfaction of the decretal amount which is lying to the credit of the suit in O.S. No.319 of 2007 on the file of II-Additional Chief Judge, City Civil Court, Hyderabad.

3. Petitioner-Appellant and Respondent-Plaintiff are present, and they are identified by their respective counsel,

Sri B. Nalin Kumar and Sri M.A.K. Mukheed. The parties have also attested on the case bundle.

4. Both the parties affirmed the terms and conditions mentioned in the Memorandum of Compromise filed by them. A request is also made that the appellant be entitled to take original Sale Deed, dated 27.2.2002, from the II-Additional Chief Judge, City Civil Court, Hyderabad, which is mentioned as Term No.(iii) of paragraph-2 of Memorandum of Compromise, for which the respondent/plaintiff has no objection. Hence, the compromise is recorded ordering the petition as per the terms mentioned in the Memorandum of Compromise, having satisfied with the adjustment arrived at by the parties.

5. Since CCCA M.P.No.491 of 2017 is allowed recording the terms and conditions of compromise, the present Appeal is disposed of. Memorandum of Compromise shall form part of the decree.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the City Civil Court Appeal shall stand closed.

A. SHANKAR NARAYANA, J

Dt. 01.09.2017
gbs