

HON' BLE Dr. JUSTICE B. SIVA SANKARA RAO

I.A.No.1 of 2018 in/and A.S.No.767 of 2013

JUDGMENT

The implead petition (I.A.No.2096 of 2016) of 3rd respondent to the appeal and the compromise petition are allowed so impleading.

The impleaded R.3, no other than the GPA holder of the defendants 1 and 2 is present. The defendants 1 and 2 are not present in their persons. When the Court asks to secure them or file affidavit of GPA in subsistence, it is stated that the D.3/ R.3 since impleaded as GPA holder of the D.1 and 2 already obtained regular sale deed from the D.1 and D.2-the owners of the property and the appellant/ plaintiff in the appeal also given up his claim over the property and thereby their presence is not required and in the appeal and compromise petition, array of D.1 and D.2 as R.1 and R.2 not pressed and the same is recorded. The compromise petition is taken up. The appellant and the R.3 present and agreed to the terms of compromise. The compromise is accordingly recorded between appellant and R.3. The terms of the compromise are to be appended as part of compromise decree.

Having regard to the above, the I.A.No.1 of 2018 is allowed and consequently, the Appeal is also allowed in view of the compromise. Miscellaneous petitions, if any, pending in this Appeal shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:21.03.2018
vvr