

HON'BLE SRI JUSTICE Dr. B. SIVA SANKARA RAO

SAMP No.630 of 2017 IN/AND SECOND APPEAL No.623 OF 2002
AND SAMP No.631 of 2017 IN/AND SECOND APPEAL No. 631 of
2002

COMMON JUDGMENT:

SAMP Nos.630 and 631 of 2017 are filed in S.A.Nos.623 and 631 of 2002 respectively by the self-same persons to record the compromise in terms of the Memorandum of Compromise.

2. It is endorsed that respondents 5 and 6 by names Y.Chenna Reddy and Y.Chandrasekhara Reddy are not necessary parties and given up. It is thereby recorded saying the compromise will not effect their existing rights in any manner for they are not before the Court to determine their rights or liabilities concerned if any. On behalf of respondent No.32 by name V.Lakshmi Devi, W/ o late V.C.Chenchaiyah Chari, Sri C.Hanumantha Rayudu, learned counsel for the petitioners endorsed in the vakalat as special vakalat holder saying as per the instructions of the party in her absence to enter into compromise and the same is also authorized by her son, respondent No.33, by name V.Naveen Kumar for both agreed to sign on compromise by virtue of special vakalat and otherwise being son of the party. The remaining petitioners and respondents with their respective counsel are present. The compromise terms were read over and explained to the parties. They stated the same as true and entered into compromise voluntarily without any force and the same may be recorded.

3. Accordingly, SAMP Nos.630 and 631 of 2017 are allowed by recording the compromise for passing the compromise final decree. However, in view of the compromise to pass compromise final decree pursuant to the compromise terms, the non-judicial stamps are to be filed for engrossing the final decree thereto. Thereby, both the Second Appeals are allowed pursuant to the compromise to pass compromise final decree only by recording the compromise and remitting the matter back to the trial Court on their filing or depositing of non-judicial stamps to engross thereto the compromise final decree. Office is directed to append the terms of compromise as part of the compromise final decree on engrossing on non-judicial stamps value to be fixed.

4. Consequently, miscellaneous petitions, if any shall stand closed. No order as to costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 19.03.2018
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