

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE D.V.S.S.SOMAYAJULU

I.A.No.2 of 2018
in/and
A.S.No.127 of 2016

25.04.2018

Between:

P.Kamamma and others

..Applicants/Appellants

and

Kavvagudem Laxmamma @ Chandrakala and another

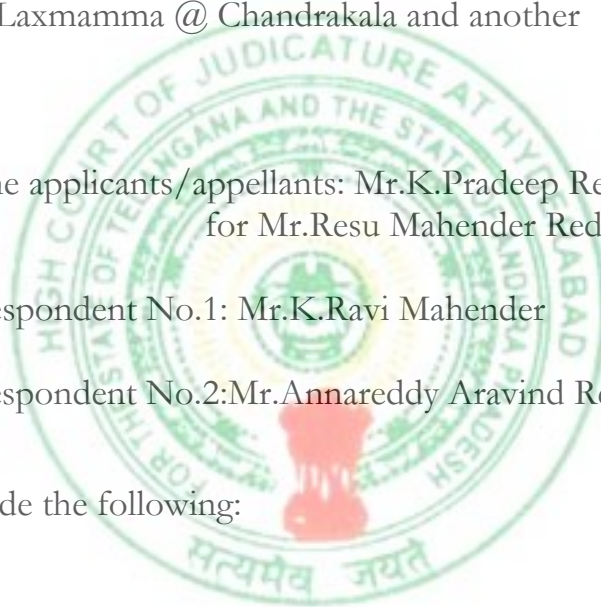
..Respondents

Counsel for the applicants/appellants: Mr.K.Pradeep Reddy
for Mr.Resu Mahender Reddy

Counsel for respondent No.1: Mr.K.Ravi Mahender

Counsel for respondent No.2:Mr.Annareddy Aravind Reddy

The Court made the following:



JUDGMENT: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

A.S.No.127 of 2016 is filed by defendant Nos.2 to 9 in O.S.No.175 of 2012 (old O.S.No.786 of 2006) on the file of learned XII Additional District Judge, Vikarabad, Ranga Reddy District, whereby he has passed a preliminary decree for partition of plaint 'A' and 'B' schedule properties.

2. I.A.No.2 of 2018 is filed by the applicants/appellants for recording of compromise and allowing the appeal by setting aside judgment and decree, dated 15.10.2015, in O.S.No.175 of 2012 (old O.S.No.786 of 2006) on the file of learned XII Additional District Judge, Vikarabad, Ranga Reddy District. In support of this application, applicant No.5/appellant No.5 has filed affidavit, wherein he has, *inter alia*, stated that during the pendency of the appeal, at the intervention of the well-wishers and elders, the dispute is settled amicably between the parties as per the terms of compromise contained in memo of compromise, dated 23.04.2018, which is filed along with this application. He has, therefore, prayed for allowing the appeal by setting aside the judgment under appeal in terms of the said memo of compromise.

3. At the hearing, applicant Nos.2 to 8/appellant Nos.2 to 8 and respondent Nos.1 and 2 are personally present. Each of them has informed the Court that they have entered into compromise with their free will and consent.

4. In the light of the above, I.A.No.2 of 2018 is allowed. Judgment and decree, dated 15.10.2015, in O.S.No.175 of 2012 (old O.S.No.786 of 2006) on the file of learned XII Additional District Judge, Vikarabad, Ranga Reddy District, are set aside. A.S.No.127 of 2016 is allowed in terms of memo of compromise, dated 23.04.2018, with a direction that the decree shall be prepared in terms thereof.

5. As a sequel to allowing the appeal, interim order, dated 25.02.2016, in A.S.M.P.No.294 of 2016 is vacated and A.S.M.P.No.294 of 2016 filed by the appellants for interim relief stands disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

D.V.S.S.SOMAYAJULU, J

25th April, 2018
GHN