

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

IA.Nos.1, 2 & 3 of 2018
in/and
APPEAL SUIT No.898 of 2015

COMMON JUDGMENT:

This is an appeal filed by the unsuccessful 1st defendant assailing the decree and judgment, dated 29.10.2015, of the learned III Additional Senior Civil Judge, Vijayawada of Krishna District, passed in OS.No.896 of 2011.

2. When this Appeal Suit is taken up for hearing, learned counsel for the appellant/1st defendant and the learned counsel for the respondents 2 to 4/plaintiffs 2 to 4 submitted that the matter is adjusted out of Court and though IA.No.2 of 2018 is filed requesting to record the compromise along with a Memorandum of Compromise, there is no need to record the Compromise and dispose of the Appeal Suit in terms of the compromise and that suffice if it is recorded that as per settlement outside the Court, a registered Document bearing No.7616 of 2018 was duly executed by the respondents 2 to 4 in favour of the appellant/1st defendant. It is also represented that the application in IA.No.1 of 2018 filed for impleadment of proposed 4th respondent may also be closed as not necessary in view of the afore-stated submissions jointly made by learned counsel for both the parties. It is next submitted that the 3rd respondent has become a major and that IA.No.3 of 2018 is filed to declare the 3rd respondent as major and discharge his guardian.

3. Recording the submissions including the submission that the respondents 2 to 4 have executed a registered document afore-stated

in favour of the appellant/1st defendant and that the matter is adjusted out of Court, the Appeal Suit is dismissed.

IA.No.1 & 2 of 2018 are closed; and, IA.No.3 of 2018 is allowed declaring the 3rd respondent as major and discharging his guardian.

There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Appeal Suit shall stand closed.

M.SEETHARAMA MURTI, J

Date: 4th December, 2018

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