

***IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
*FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

*** HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE N.BALAYOGI**

+ A.S.No.1095 of 2016

% 27-06-2018

BETWEEN:

1. M. Subba Reddy, S/o. Rami Reddy, R/o. H.No.76/1116/32, Ganesh Nagar, Near Bellary Chowrastha, Kurnool.
2. M. Subba Reddy, S/o. Subba Reddy, R/o. H.No.76/1116/32, Ganesh Nagar, Near Bellary Chowrastha, Kurnool.
3. M. Sudarshan Reddy, S/o. Subba Reddy, R/o. H.No.76/1116/32, Ganesh Nagar, Near Bellary Chowrastha, Kurnool.
4. M. Rama Mohan Reddy, S/o. Subba Reddy, R/o. H.No.76/1116/32, Ganesh Nagar, Near Bellary Chowrastha, Kurnool.

... Appellants/plaintiffs.

Vs.

S. Ramesh Babu @ S. Ramesh
Proprietor of Kanakaratna Movies,
R/o. D-5, Vyshali Apartments,
17/22, Dr. Nair Road, T, Nagar,
Chennai – 17.

... Respondent/defendant

! Counsel for the Appellants : Mr. M.N. Narasimha Reddy

^ Counsel for the Respondent : Mr. P. Rajini Reddy

< Gist:

> Head Note:

? Cases referred:

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE N.BALAYOGI

A.S.No.1095 of 2016

JUDGMENT: (per VRS, J.)

The above appeal arises out of the dismissal of a suit for recovery of money. During the pendency of the appeal the parties have compromised the matter between themselves. The memo of compromise reads as follows:

MEMORANDUM OF UNDERSTANDING/ COMPROMISE
FILED ON BEHALF OF THE APPELLANTS AND RESPONDENT

It is submitted that both parties at the intervention of elders and well wishers have amicably settled and compromised the matter and arrived to the following understandings.

1. it is submitted that the respondent/defendant agreed to pay an amount of Rs.10,00,000-00 (Rupees ten lakhs only) towards full and final settlement towards the claim in above appeal and the appellants also agreed to receive the said amount of Rs.10,00,000-00 (Rupees ten lakhs only) towards their full and final settlement and the appellants agreed to receive the above said amount by way of cheques and accordingly the respondent issued the following four cheques as detailed below to be presented after closure of the **above** appeal:

In favour of	Cheque No.	Amount In Rs.	Drawn on
M. Subba Reddy (Appellant No.1)	Cheque No. 099076	2,50,000/- (Rupees two lakhs fifty thousand only)	Bank of India, Chrompet Branch Chennai-600044
M. Subba Reddy (Appellant No.2)	Cheque No. 099077	2,50,000/- (Rupees two lakhs fifty thousand only)	Bank of India, Chrompet Branch, Chennai-600044
M. Sudarshan Reddy (Appellant No.3)	Cheque No. 099078	2,50,000/- (Rupees two lakhs fifty thousand only)	Bank of India, Chrompet Branch, Chennai-600044
M. Rama Mohan Reddy (Appellant No.4)	Cheque No. 099079	2,50,000/- (Rupees two lakhs fifty thousand only)	Bank of India, Chrompet Branch, Chennai-600044

That the appellants hereby admit and acknowledge the receipt of the said cheque amounts subject to its encashment.

2. It is submitted that both the parties agreed for the above settlement with their free will and consent and

there is no pressure, coercion or influence in arriving for the said understandings.

3. It is submitted that both parties agreed to bear their own costs.

4. It is submitted that the parties to the above appeal undertake not to file any sort of claim or claims of whatsoever nature against each other as they have settled all their accounts to their fullest satisfaction.”

2. All the four appellants as well as the sole respondent were present in Court. They have confirmed the terms of compromise. The cheques as indicated in para-1 of the memo of compromise were handed over by the respondent to each one of the appellants. The cheques were accepted. The cheques are dated 09.06.2018

3. In view of the above, the appeal is partly allowed in terms of the memo of compromise. No costs.

4. As a sequel, pending miscellaneous petitions, if any, in this appeal, shall stand closed.

V.RAMASUBRAMANIAN, J.

N.BALAYOGI, J.

27th June, 2018.

Js

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE N.BALAYOGI

A.S.No.1095 of 2016
(per VRS, J.)



27th June, 2018.

Js.