

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

APPEAL SUIT No.538 OF 2016

JUDGMENT:

When this appeal suit is taken up for hearing, learned counsel for the appellant stated as follows: 'A letter, dated 30.04.2018, is filed before the Registrar (Judicial) of this Court requesting to post this matter under the caption 'For Withdrawal'. In the said letter, it is stated that the parties entered into a compromise. As per the terms of the said compromise, the appellant/plaintiff and respondents 4 to 6/defendants 4 to 6 agreed to confine their claim to the extent of the preliminary decree passed by the trial Court; the extent of land to be taken by the appellant and the respondents 4 to 6 and other details are mentioned in the above said letter filed before the Registrar. Further, a separate agreement, dated 30.04.2018, is also entered into and that the same is binding on the parties. In that view of the matter, permission may be accorded to the appellant for withdrawing the appeal and the appeal may be dismissed as withdrawn.'

Though the original letter is not placed on record, learned counsel for the appellant furnished a copy of the said letter to the Court and the same is placed on record.

Learned counsel for the appellant while reiterating the contents of the letter sought permission for withdrawal of the appeal suit.

Having regard to the submission that the matter is settled outside the Court and that an agreement, dated 30.04.2018, was said to have been entered into between the parties, permission is accorded for withdrawal of the appeal suit and the appeal suit is accordingly dismissed as withdrawn.

There shall be no order as to costs.

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

October 24, 2018
MD

M. SEETHARAMA MURTI, J

