

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

I.A.No.1 of 2018 In/And A.S.No.1030 of 2017

COMMON JUDGMENT:

The unsuccessful defendant preferred this Appeal Suit assailing the decree and judgment, dated 17.08.2017, of the learned Senior Civil Judge, Bodhan, passed in OS.No.18 of 2015.

2. when the matter is taken up for hearing, the defendant/appellant and the respondent/plaintiff, who are present along with their respective learned counsel, stated that the matter is amicably settled and that the terms of settlement are reduced into writing in the form of a memorandum of compromise and that the original memorandum of compromise signed by both parties and their respective counsel is filed into Court along with IA No.1 of 2018 with a request to record the compromise. The parties present are identified by their respective counsel and they produced their original Aadhar Cards in proof of their respective identities; and, the copies of the same are placed on record.

3. Both the parties stated that pursuant to the stay orders granted by this Court in this Appeal Suit, a sum of Rs.2,00,000/- was deposited by the defendant before the trial Court, to the credit of the suit and that pursuant to the settlement, the entire amount due and payable under the decree was paid by the defendant to the plaintiff as mentioned in the terms of compromise and that, therefore, full satisfaction may be recorded and the Appeal Suit may be disposed of in terms of compromise by permitting the defendant to withdraw Rs.2,00,000/-, which is deposited as afore-stated. When the terms of the compromise are read over and explained to the parties, they admitted the same.

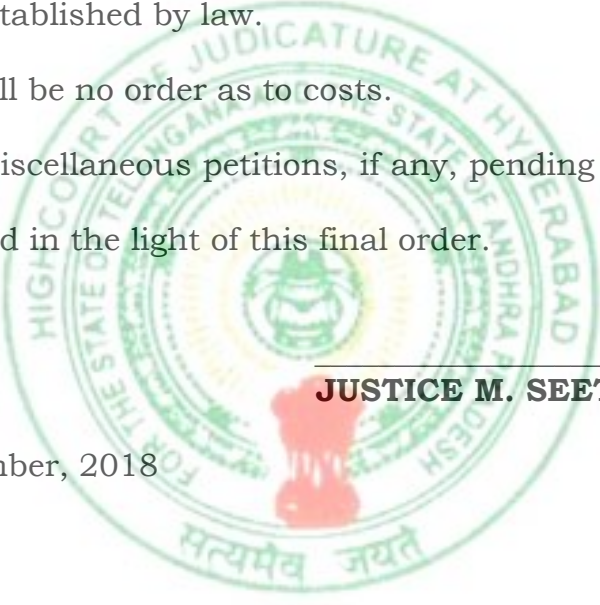
4. This Court is satisfied that the parties entered into the compromise voluntarily, with free will & consent and without any pressure from any quarter.

5. Accordingly, IA.No.1 of 2018 is allowed.

6. In the result, the Appeal Suit is disposed of in terms of compromise. The memorandum of compromise shall form part of the decree. As per the terms of compromise, the defendant is permitted to withdraw Rs.2,00,000/-, which is deposited to the credit of OS.No.18 of 2015, on the file of the learned Senior Civil Judge, Bodhan, by following the procedure established by law.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, pending in the Appeal Suit shall stand closed in the light of this final order.



JUSTICE M. SEETHARAMA MURTI

Date: 12th November, 2018

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