

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

I.A.No.1 of 2019
in/ and
S.A.No.1224 of 2008

COMMON JUDGMENT:-

Heard Sri Nazir Ahmed Khan, learned counsel for the appellants/defendants, Sri J.Ashvini Kumar, learned counsel for the respondent/plaintiff and perused the record.

2. A joint Memorandum of Compromise-cum-Settlement (I.A.No.1 of 2019) is filed stating that the parties have compromised the subject matter of the Second Appeal and pursuant to the same, the keys of the subject premises are handed over to the respondent/plaintiff by the appellants/defendants. Both the parties are present before this Court and they are identified by their respective counsel. The contents of the Memorandum of Compromise-cum-Settlement are read over to the parties and they admitted that they voluntarily entered into the compromise and the terms of compromise are true and binding.

3. In view of the compromise arrived between the parties, I find that it is a fit case to record the compromise by exercising power under Order XXIII Rule 3 of the Code of Civil Procedure, 1908. Accordingly, I.A.No.1 of 2019 is allowed.

4. In view of the orders passed in I.A.No.1 of 2019, the Second Appeal stands disposed of in terms of the joint Memorandum of Compromise-cum-Settlement. The Registry is

directed to annex a copy of the Memorandum of Compromise-cum-Settlement to the decree.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

08th March, 2019
Bvv

