

HONOURABLE DR.JUSTICE B.SIVA SANKARA RAO

I.A.No.1 of 2019
and
A.S. No.1891 OF 2018

COMMON JUDGMENT:

The appeal is taken up for hearing, the appellant/ plaintiff and the 1st respondent/ defendant, 2nd respondent-Sub-Registrar, Karimnagar, who is a proforma party. The appeal is against the dismissal of the suit claim in O.S.No.111 of 2017 for specific performance of contract of sale dated 27.09.2015, maintained since by the unsuccessful plaintiff supra against the 1st defendant-vendor under the agreement. Pending the appeal, the appellant and respondent having present filed IA No.1 of 2019 to record the compromise and dispose of the appeal in terms thereof by filing terms of the compromise, whereunder, the respondent/ defendant agreed to execute sale deed by saying with the elderly intervention the dispute is settled amicably and is willing to execute the sale deed in favour of the appellant/ plaintiff in terms of the sale agreement supra and when explained the facts and questioned, it is stated that it is voluntary.

Having regard to the above, the petition is allowed recording the compromise. Consequently, the appeal is allowed by setting aside the dismissal judgment of the trial Court, in decreeing the suit for specific performance in terms of the compromise. There shall be no order as to costs.

Miscellaneous applications if any, pending in the appeal shall stand closed.

Dr.B.SIVA SANKARA RAO,J

Date: 27th March, 2019

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