

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

**I.A.NO.1 OF 2021
AND
APPEAL SUIT NO: 504 OF 2016**

AS.NO.504 OF 2016:

Appeal under Section 96 of CPC against the Judgment and decree dated 31.03.2016 in O.S.No.82 of 2012 on the file of the Court of the I Additional District Judge, Mahabubnagar.

COMMON CT. IN I.A.NO.1 OF 2021 AND AS.NO.504 OF 2016

Between:

Pathlavath Sakru, S/o. Laxman, Aged about 36 years, Occ: Agriculture, R/o. H.No. 6-180, Ramnagar Colony, Chatanpally Village, Farooqnagar Mandal, Mahabubnagar District.

...PETITIONER/APPELLANT

AND

Smt. Vijaya Laxmi, W/o. K. Laxma Reddy, Aged about 48 years, Occ: Teacher, R/o. H.No.13-144, Christian Colony, Shadnagar, Mahabubnagar District

...RESPONDENT/RESPONDENT

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to record the terms of compromise between the parties herein in the present appeal pursuant to the Memorandum of Compromise Dated.04.03.2021 and the present appeal may be disposed by recording the terms of the compromise in the interest of justice.

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all further proceedings of the Judgment and Decree dt. 31-03-2016 in OS No. 82 of 2012 by the Hon'ble Ist Additional District Judge, Mahabubnagar including the execution of Decree pending the appeal.

Counsel for the Appellant: SRI. M HAMSA RAJ

Counsel for the Respondent: SRI. K. JAGADISHWAR REDDY

The Court delivered the following: JUDGMENT

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

I.A.No. 1 of 2021
AND
A.S. No. 504 of 2016

J U D G M E N T :

I.A.No. 1 of 2021 was taken out to record the terms of compromise between the parties pursuant to the Memorandum of Compromise dated 04.03.2021.

The respondent - plaintiff filed O.S.No. 82 of 2012 on the file of the I Additional District Judge, Mahabubnagar for specific performance of agreement of sale dated 03.10.2012 and the said suit was decreed. After filing E.P.No. 283 of 2019 on the file of the Principal District Judge, Mahabubnagar to execute the judgment and decree, both the appellant and the respondent have amicably settled the dispute, whereunder, the respondent - plaintiff had agreed to accept Rs.12 lacs, which is inclusive of the advance amount paid under the agreement of sale, in full and final settlement for not pressing the E.P. and foregoing the rights to enforce the decree and judgment in the suit. Terms have been specified under the memorandum of compromise dated 04.03.2021 filed along with I.A.No. 1 of 2021 dated 05.03.2021.

Both the parties are present before this Court and confirmed that they had entered into compromise and signed the memo voluntarily. The respondent also confirmed that in terms of the compromise, she received the amount. The parties are identified by their respective counsel.

In those circumstances, I.A.No. 1 of 2021 is allowed and consequently, the Appeal is disposed of in terms of the compromise memo dated 04.03.2021.

Miscellaneous petitions, if any pending, shall stand closed.

//TRUE COPY//

Sd/- K.SRINIVAS RAO
JOINT REGISTRAR

SECTION OFFICER

To,

1. The I Additional District Judge, Mahaboobnagar, Mahaboobnagar District.
2. One CC to Sri. M. Hamsa Raj, Advocate [OPUC]
3. One CC to Sri. K. Jagadishwar Reddy, Advocate [OPUC]
4. Two CD Copies

ghr



HIGH COURT

DATED: 23/04/2021

JUDGMENT

I.A.No.1 of 2021
AND
AS.No.504 of 2016



DISPOSING OF THE APPEAL

⑤ VLW
4/6/21