



A.No.7563 of 2019
in C.S.No.878 of 2007

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G.CHANDRASEKHARAN, J.

A.No.7563 of 2019 is filed for passing final decree.

2. When the matter was taken up on 02.11.2022, it was reported that against the judgment and preliminary decree appeal in OSA.No.253 of 2019, was filed and pending before the Hon'ble Division Bench of this Court. During the pendency of OSA.No.253 of 2019, both the parties entered into a compromise and filed a joint compromise memo before the mediator. As per the report of the mediator, the mediation was successful and mediation report was also filed. The Hon'ble Division Bench in OSA.No.253 of 2019, passed judgment on the basis of compromise reached. As per the judgment, the respondent/defendant was directed to pay a sum of Rs.6 lakhs in total to the applicant/plaintiff.

3. Today, when the matter is taken up, it is submitted by the learned counsel appearing for the plaintiff that the respondent/defendant paid Rs.6 lakhs and receipt was also given by the applicant/plaintiff. In view of



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the payment of amount as per the judgment in OSA.No.253 of 2019, nothing survives in A.No.7563 of 2019 and therefore, this application is dismissed as not necessary.

4.The plaintiff is entitled to refund of Court fee as per the Mediation Rules.

09.11.2022

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