

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SMT JUSTICE P.SREE SUDHA

APPEAL SUIT NO: 2893 OF 1999

Appeal Filed under Section 96 of CPC aggrieved by the Judgment and Decree made in OS No. 22 of 1994 on the file of the Senior Civil Judge, Asifabad, dated 25.08.1999.

Between:

Balchand Agarwal, S/o late Ram Kishan Agarwal,
R/o H.No. 4-5-42, Sultan Bazar, Hyderabad.

...Appellant/Plaintiff

AND

1. Nandlal Agarwal, S/o Juthalal, R/o Bajrang Oil Mills premises, Mancherial
2. Sanjay Kumar Agarwal, S/o Sanwarmal Agarwal, R/o Bajrang Oil Mills premises, Mancherial.

...Respondents/Defendants

I.A. NO: 6 OF 2006(ASMP. NO: 15981 OF 2006)

Petition under order 22 Rule 4, R/w. Sec. 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased bring the Legal Representatives of the deceased 1st respondent as Respondents 3 to 6 in the appeal.

I.A. NO: 1 OF 2006(ASMP. NO: 2658 OF 2006)

Petition under Section 5 of limitation Act R/w. 151 CPC, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to condone the delay of 218 days in seeking to set aside the abatement.

I.A. NO: 2 OF 2006(ASMP. NO: 2659 OF 2006)

Petition under order 22 Rule 3 R/w. Sec. 151 CPC, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to bring the proposed petitioners No.2 on record as Legal representatives/petitioner/Appellant No.2 of the deceased sole appellant in the appeal.

I.A. NO: 1 OF 1999(CMP. NO: 25769 OF 1999)

Petition under Order 38 Rule 5 of CPC, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to order attachment before judgment of the properties owned and possessed by the respondents unless full and proper security offered and furnished so as to protect the petitioner's rights of which has now reached Rs.4,05,479/- being the value of the appeal.

For the Appellant : Sri R. Vijayanandan Reddy, Advocate

For the Respondents: Sri H. Venugopal, Advocate

The Court made the following: JUDGMENT

HONOURABLE SMT JUSTICE P. SREE SUDHA

APPEAL SUIT No. 2893 OF 1999

ORDER:

Learned counsel for the respondents present. Learned counsel for the appellant is absent.

Learned counsel for the appellant filed a memo stating that parties entered into compromise and it was recorded before the Trial Court. He filed the terms of compromise entered between both the parties and requested this Court to dispose of the appeal in terms of compromise.

2. Compromise is recorded.
3. Hence, Appeal Suit is disposed of in terms of compromise. There shall be no order as to costs.
4. Miscellaneous application, if any pending, shall stand closed. No order as to costs.

Sd/-B.S.CHIRANJEEVI
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Senior Civil Judge, Asifabad, Adilabad(with records)
2. One CC to Sri R. Vijayanandan Reddy, Advocate [OPUC]
3. One CC to Sri H. Venugopal, Advocate [OPUC]
4. Two CD Copies

10K

HIGH COURT

DATED:13/10/2022



JUDGMENT

AS.No.2893 of 1999

APPEAL IS DISPOSED OF INTERMS OF COMPROMISE,
NO COSTS

⑥ $\frac{v/v}{25/1/23}$