

Case called out.

Learned counsel for the plaintiff amendment carried out and furnished the amended plaint.

The learned counsel for the plaintiff filed memo stating that he does not wish to continue the suit against the defendant No.4, 7 to 12. In view of the memo, proceed to pass following:

ORDER

The suit filed by the plaintiff is dismissed as not pressed as against the defendants No.4, 7 to 12.

Learned counsel for the plaintiff submitted that there is existence of element of settlement. Hence, case call at 03.00 p.m.

Case again called by 03.00 p.m.

Plaintiff, defendants No.1, 2, 5 and 6 are present.

Both parties have filed compromise petition under Order 23 Rule 3 of CPC.

Perused the documents placed before the court.

The suit is one for partition and separate possession. Both the parties have entered into compromise and the properties are allocated, boundaries are mentioned and house properties are equally bifurcated. The legitimate rights of

the parties are averred in the petition.

Read over the terms of settlement between the parties and the parties have accepted its correctness and submitted that they have voluntarily entered into compromise and there is no compulsion. The terms of compromise are neither opposed to law nor any public policy and hence, this court finds no impediment in accepting the compromise petition, proceed to pass the following:

ORDER

The application filed by the both parties under Order 23 Rule 3 of CPC is hereby accepted.

The suit of the plaintiff is decreed in terms of compromise petition.

The interlocutory applications, if any, pending are hereby disposed off accordingly.

Office to draw final decree accordingly.

**Civil Judge and JMFC.,
Kittur.**