



2023:TSHC:25453

IN THE HIGH COURT FOR THE STATE OF TELANGANA

TUESDAY, THE TENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SMT JUSTICE P.SREE SUDHA

I.A.Nos.1 , 2 & 3 OF 2023

IN/AND

APPEAL SUIT NO: 901 OF 2011

APPEAL SUIT No. 901 OF 2011:

Appeal filed under Section 96 of C.P.C., R/w 41 Rule 1 of C.P.C., aggrieved by the Judgment and decree, dated 16-9-2011 in OS NO. 505/2005 on the file of the Hon'ble VI Additional Senior Civil Judge, FTC, Medchal, R.R. District.

Between:

1. Mrs. Kaniz Mohammadi,, W/o. Late Ameeruddin Shareef, Household, R/o. H.No. 7-45, Dundigal Village, Qutbullapur Mandal, R.R.District.
2. Mr. Maqbool, S/o. Late Ameeruddin Shareef, Auto Driver, R/o. H.No. 7-45, Dundigal Village, Qutbullapur Mandal, R.R.District.
3. Mr.Hamid, S/o. late Ameeruddin Shareef, Auto Driver, R/o. H.No. 7-45, Dundigal Village, Qutbullapur Mandal, R.R.District.
4. Mr.Khaled, S/o. late Ameeruddin Shareef, Lining Work R/o. H.No. 7-45, Dundigal Village, Qutbullapur Mandal, R.R.District.
5. Mrs. Yasmin Begum, D/o. Late Ameeruddin Shareef, Household, R/o. H.No. 7-45, Dundigal Village, Qutbullapur Mandal, R.R.District.

AND

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APPELLANTS

1. Mrs. Khatija Begum (died per L.Rs. Rangareddy 7 to 10)
2. Mrs Raheemunnisa Begum, W/o. Late M.A. Qayyum, Household, R/o. H.No. 11-4-321, Shargalli, Bazarghat, Hyderabad.
3. Mrs. Ameena Begum, W/o. Late Syed Sardar Ali, Household, R/o. H.No. 8-122, Dundigal Quarters, R.R.District.(Died per LR R-16)
4. Mrs. Habeebunnisa Begum, W/o. Late Syed Ahmed Ali, Household, R/o. H.No. 9-10-94/12, Reesala Bazar, Golconda Fort, Hyderabad.(Died per LRs Rangareddy 17 & 18)
5. Mrs. Zainab Begum, W/o. Sadaq Hussain, Household, R/o. H.No. 7-45, Dundigal, R.R.District.



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6. Mrs. Ruqia Begum, W/o. Mohammed Shareef, Household, R/o. H.No. 20-4-652/3/B, Shahgunj, Hyderabad.
7. Mohd Jafer Shareef, S/o. Dastagir Shareef, Business, R/o. 9-10-94/11, Golconda Fort, Hyderabad.
8. Zahoor Shareef @ Afsar Shareef, S/o. Dastagir Shareef, Business, R/o. 9-10-94/11, Golconda Fort, Hyderabad.
9. Mohd Kareem Shareef, S/o. Dastagir Shareef, Business, R/o. 9-10-94/11, Golconda Fort, Hyderabad.
10. Rizwana Ashrafunissa, W/o. M.A. Khadeer, Household, R/o. 11-4-321, Bazarghat, Hyderabad.
11. Amaram Muthyam Reddy S/o Amaram Krishna Reddy, aged about 40 years, Occ: Business, H.No.7-46/1, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.
12. Amaram Krishna Reddy S/o Amaram Krishna Reddy, aged about 72 years, Occ: Business, R/o H.No.7-46/1, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.
13. Amaram Rajani W/o Amaram Muthyam Reddy, aged about 36 years, Occ: Business R/o H.No.7-46/1, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.
14. Amaram Bal Reddy S/o Amaram Ram Reddy, aged about 57 years, Occ: Business, H.No.7-37/1, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.
15. Amaram Muthyam Reddy S/o Amaram Ram Reddy, aged about 39 years, Occ: Business, H.No.7-46, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.

(RR 11 to 15 are impleaded vide C.O., dt.1.12.2025 in I.A.No.2 of 2023)

16. Syed Sabeer S/o Late Syed Sardar Ali, aged about 55 yrs., Occ: Business, R/o H.No.8-122, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.

(R 16 is impleaded vide C.O., dt.1.12.2025 in I.A.No.3 of 2024)

17. Nazima Begum D/o Late Syed Ahmed Ali, W/o Shaik Moizuddin, aged about 47 yrs., Occ: House Hold, H.No.8-2-239/A, Basva Taraka Nagar, Film Nagar, Jubilee Hills, Hyderabad.
18. Syed Sajeed Ali S/o late Syed Ahmed Ali, aged about 45 yrs., Occ: Auto Electrician, H.No.9-10-94/12, Resala Bazar, Golconda Fort, Hyderabad.

(RR 17 & 18 are impleaded vide C.O., dt.1.12.2025 in I.A.No.6 of 2024)

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RESPONDENTS

**IA NO: 1 OF 2023****Between:**

1. Mrs. Kaniz Mohammadi,, W/o. Late Ameeruddin Shareef, Household, R/o. H.No. 7-45, Dundigal Village, Qutbullapur Mandal, R.R.District.
2. Mr. Maqbool, S/o. Late Ameeruddin Shareef, Auto Driver, R/o. H.No. 7-45, Dundigal Village, Qutbullapur Mandal, R.R.District.
3. Mr.Hamid, S/o. late Ameeruddin Shareef, Auto Driver, R/o. H.No. 7-45, Dundigal Village, Qutbullapur Mandal, R.R.District.
4. Mr.Khaled, S/o. late Ameeruddin Shareef, Lining Work R/o. H.No. 7-45, Dundigal Village, Qutbullapur Mandal, R.R.District.
5. Mrs. Yasmin Begum, D/o. Late Ameeruddin Shareef, Household, R/o. H.No. 7-45, Dundigal Village, Qutbullapur Mandal, R.R.District.

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PETITIONERS/APPELLANTS in I.A.No.2 & 3**AND**

1. Mrs. Khatija Begum (died per L.Rs), Fisheries Department, West Godavari District, Eluru
2. Mrs Raheemunnisa Begum, W/o. Late M.A. Qayyum, Household, R/o. H.No. 11-4-321, Shargalli, Bazarghat, Hyderabad.
3. Mrs. Ameena Begum, W/o. Late Syed Sardar Ali, Household, R/o. H.No. 8-122, Dundigal Quarters, R.R.District.(Died per LR R-13)
4. Mrs. Habeebunnisa Begum,, W/o. Late Syed Ahmed Ali, Household, R/o. H.No. 9-10-94/12, Reesala Bazar, Golconda Fort, Hyderabad.(Died per LRs RR 11 & 12)
5. Mrs. Zainab Begum, W/o. Sadaq Hussain, Household, R/o. H.No. 7-45, Dundigal, R.R.District.
6. Mrs. Ruqia Begum, W/o. Mohammed Shareef, Household, R/o. H.No. 20-4-652/3/B, Shahgunj, Hyderabad.
7. Mohd Jafer Shareef, D/o. Dastagir Shareef, Business, R/o. 9-10-94/11, Golconda Fort, Hyderabad.
8. Zahoor Shareef @ Afsar Shareef, S/o. Dastagir Shareef, Business, R/o. 9-10-94/11, Golconda Fort, Hyderabad.
9. Mohd Kareem Shareef, S/o. Dastagir Shareef, Business, R/o. 9-10-94/11, Golconda Fort, Hyderabad.
10. Rizwana Ashrafunissa, W/o. M.A. Khadeer, Household, R/o. 11-4-321, Bazarghat, Hyderabad.
11. Syed Sabeer S/o Late Syed Sardar Ali, aged about 55 yrs., Occ: Business, R/o H.No.8-122, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.
12. Nazima Begum D/o Late Syed Ahmed Ali, W/o Shaik Moizuddin, aged about 47 yrs., Occ: House Hold, H.No.8-2-239/A, Basva Taraka Nagar, Film Nagar, Jubilee Hills, Hyderabad.



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13. Syed Sajeed Ali S/o late Syed Ahmed Ali, aged about 45 yrs., Occ: Auto Electrician, H.No.9-10-94/12, Resala Bazar, Golconda Fort, Hyderabad.
14. Amaram Muthyam Reddy S/o Amaram Krishna Reddy, aged about 40 years, Occ: Business, H.No.7-46/1, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.
15. Amaram Krishna Reddy S/o Amaram Krishna Reddy, aged about 72 years, Occ: Business, R/o H.No.7-46/1, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.
16. Amaram Rajani W/o Amaram Muthyam Reddy, aged about 36 years, Occ: Business R/o H.No.7-46/1, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.
17. Amaram Bal Reddy S/o Amaram Ram Reddy, aged about 57 years, Occ: Business, H.No.7-37/1, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.
18. Amaram Muthyam Reddy S/o Amaram Ram Reddy, aged about 39 years, Occ: Business, H.No.7-46, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.

... **RESPONDENTS in I.A.Nos.2 & 3**

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 Compromise, the appellants and the respondents pray this Hon'ble Court to dismiss the appeal in terms of above compromise.

IA NO: 2 OF 2023

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 implead 1. Amaram Muthyam Reddy son of Amaram Krishna Reddy aged about 40 years, occupation. Business, House No.7-46/1, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District. 2. Amaram Krishna Reddy son of Amaram Krishna Reddy aged about 72 years, occupation. Business, 3. Amaram Rajani wife of Amaram Muthyam, aged about 36 years, occupation. Business, Respondents No.14 to 16 are residents of House No.7-46/1, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District. 4. Amaram Bal Reddy son of Amaram Ram Reddy aged about 57 years, occupation. Business, House No.7-37/1, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District. Amaram Muthyam Reddy son of Amaram Ram Reddy aged about 39 years, occupation. Business, House No.7-46, Dundigal Village, Qutubullapur Mandal, Ranga Reddy District. as Proposed Respondent No. 14 to 18 in the above appeal.

IA NO: 3 OF 2023

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 permit the Petitioner No.8/Respondent No.8 to represent as General. Power of Attorney of the Respondent No.2, 12 and 5 to 7 in the above appeal.



2023:TSHC:25453

I.A. NO: 1 OF 2011(ASMP. NO: 2807 OF 2011)

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 suspend the operation of Judgment decree dt. 16-9-2011 in OS NO. 505/2005 on the file of the VI Additional Senior Civil Judge, (FTC), Medchal, R.R.District.

Counsel for the Appellants : SRI. WASIM AHMED KHAN

Counsel for the Respondents: SRI NAZIR AHMED KHAN

The Court delivered the following: JUDGMENT



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THE HON'BLE SMT. JUSTICE P.SREE SUDHA

I.A.Nos.1, 2 and 3 of 2023 in/and A.S.No.901 of 2011

JUDGMENT:

1. Heard both the counsel.
2. Interlocutory Application Nos.1, 2 and 3 of 2023 are filed in this Appeal to dispose the appeal in terms of compromise between the parties, to implead the proposed respondents as respondent Nos.14 to 18 and to permit respondent No.8 in the main appeal to represent as General Power of Attorney of the respondent Nos.2, 5, 6, 7 and 12 respectively.
3. In I.A.No.1 of 2023 it is mentioned that both the parties compromised in the matter and requested this Court to dispose of the Appeal in terms of compromise.
4. In view of the compromise between the parties, the Interlocutory Application Nos.1, 2 and 3 of 2023 are ordered as per terms of compromise settled between the parties.
5. Accordingly, the Appeal is disposed in terms of compromise.



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As a sequel, miscellaneous petitions, pending if any,
shall stand closed.

SD/- N.CHANDRA SEKHAR RAO
DEPUTY REGISTRAR

Note: This order is amended vide
I.A.NO.1 of 2025, dated:01/12/2025,
impleading the respondents Nos.16
to 18.

SD/- N.CHANDRA SEKHAR RAO
DEPUTY REGISTRAR

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SECTION OFFICER

To,

1. The VI Additional Senior Civil Judge (FTC), Medchal, Rangareddy District.(with Records if any)
2. One CC to SRI. WASIM AHMED KHAN Advocate [OPUC]
3. One CC to SRI. NAZIR AHMED KHAN, Advocate [OPUC]
4. Two CD Copies

ASR/PSL

Along with the memorandum of Joint Compromise



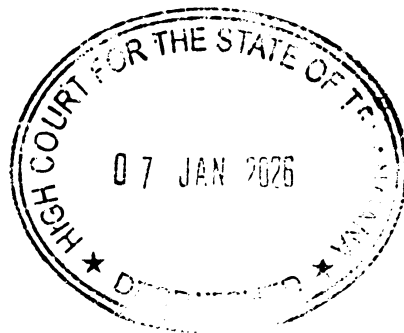
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HIGH COURT

**DATED: 10/10/2023
01/12/2025**

JUDGMENT

**I.A.Nos.1,2 & 3 OF 2023
IN/AND
AS.No.901 of 2011**



**ORDERING THE I.A.s &
DISPOSING OF THE APPEAL**

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2023:TSHC:25453

IN THE COURT OF JUDICATURE OF TELANGANA
AT HYDERABAD.

I.A.No. of 2023

IN

A.S.No. 901 of 2011

BETWEEN:-

1. Mrs. Kaniz Mohammadi wife of late Ameeruddin Shareef, aged about 72 years, occupation: Household. ✓
2. Mr. Maqbool son of late Ameeruddin Shareef, aged 42 years, occupation: Auto Driver. ✓
3. Mr. Hamid son of late Ameeruddin Shareef, aged about 38 years, occupation: Auto Driver. ✓
4. Mr. Khaled son of late Ameeruddin Shareef, aged About 34 years, occupation: lining work. ✓
5. Mr. Yasmin Begum Daughter of late Ameeruddin Shareef, Aged about 35 years, occupation: Household. ✓

All are resident of Adikmet, Hyderabad. Presently appellants No.1 to 5 residing at House No.7-45, Dundigal Village, Qutubullapur Mandal, Rangareddy District.

Petitioners/Appellants

AND

1. Mrs. Khatija Begum (died per L.Rs. Resp. No.7 to 10)
2. Mrs. Raheemunnisa Begum wife of late M.A. Qayum, aged about 76 years, occupation: Household, resident of 11-4-321, Sharegalli, Bazarghat, Hyderabad.
3. Mrs. Amena Begum (died per LR. Resp. No.13)
4. Mrs. Habeebunnisa (died per LR. Resp. No.11 and 12)

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Yasmeen

(3) Yasmeen

M. Afzal
Ashraf M.D. Koushik

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A. Rajani
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A. Sankar
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D. Sankar

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- ✓ 5. Mrs. Zainab Begum wife of Sadaq Hussain, aged about 65 years, occupation: Household, H.No. 7-45, Dundigal, Rangreddy District.
- ✓ 6. Mrs. Ruqia Begum wife of Mohammed Shareef, aged 63 years, occupation: Household, resident of H.No. 20-4-652/3/B, Shah Gunj, Hyderabad.
- ✓ 7. Mr. Mohammed Jafer Shareef son of late Dastagir Shareef, aged 66 years, occupation: Household.
8. Mr. Zahoor Shareef Alias Afsar Shareef son of Dastagir Shareef, aged about 64 occupation: Business. ✓
9. Mr. Mohammed Kareem Shareef son of Dastagir Shareef, age 62 years, occupation: Business, ✓

Respondents No. 7 to 9 are resident of H.No. 9-10-94/11, Golconda Fort, Hyderabad.

10. Mrs. Rizwana Ashrafunnisa wife of M.A. Khadeer, aged 47 years, occupation: Household, resident of H.No. 11-4-321, Bazarghat, Hyderabad. ✓

11. Nazima Begum (daughter of late Syed Ahmed Ali) Wife of Shaik Moizuddin, aged about 47 years, occupation: household, H.No. 8-2-239/A, Basva Taraka Nagar, Film Nagar, Jubilee Hills Hyderabad. ✓

12. Syed Sajeed Ali son of late Syed Ahmed Ali, aged about 45 years, occupation: Auto electrician, H.No. 9-10-94/12, Resala Bazar, Golconda Fort, Hyderabad. ✓

13. Syed Sabeer son of late Syed Sardar Ali, aged about 55 years, occupation: business, H.No. 8-122, Dundigal Quarters, Medchal - Malkajgiri District. ✓

③ Sajeed M. Afsar Yasmeen 12 OLY



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M. Afsar
Ashraf MDKorSMR



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14. Amaram Muthyam Reddy son of Amram Krishna Reddy ✓
aged about 40 years, occupation: Business, House No.7-46/1,
Dundigal Village, Qutubullapur Mandal, Ranga Reddy District *Amaram*
15. Amaram Krishna Reddy son of late Amram Muthyam Reddy
aged about 72 years, occupation: Business, ✓
16. Amaram Rajani wife of Amaram Muthyam Reddy, ✓ *15*
aged about 36 years, occupation: Business, *Amaram*
- Respondents No.14 to 16 are residents of House No.7-46/1, *16A Raja*
Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.
17. Amaram Bal Reddy son of Amram Ram Reddy ✓ *17*
aged about 57 years, occupation: Business, House No.7-37/1,
Dundigal Village, Qutubullapur Mandal, Ranga Reddy District. *Amaram*
18. Amaram Muthyam Reddy son of Amram Ram Reddy ✓ *Amaram*
aged about 39 years, occupation: Business, House No.7-46,
Dundigal Village, Qutubullapur Mandal, Ranga Reddy District.

Respondents/Respondents

MEMORANDUM OF JOINT COMPROMISE FILED
UNDER ORDER-23, RULE-1 of C.P.C.

That Khader Sharief was owner and possessor of land
admeasuring Ac: 00-19 guntas in Survey No.532, land admeasuring
Ac: 02-05 guntas in Survey No.569, and Ac: 00-27 guntas in Survey
No.34 along with an open land admeasuring 600 square yards all
situated at Dundigal village, presently Gandimaisamma-Dundigal
Mandal, presently Medchal - Malkajgiri District. Who is no more and
died leaving behind him only son Ameeruddin Shareef and six
daughters namely late Khatija Begum, Mrs. Raheemunnissa Begum, late

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Sajjad Ali
Nazima

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Raheemunnissa

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Rug'ia Begum

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Zainab Begum

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M. Afsar, Yasmeen

MD Lakshmi

MD Lakshmi



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Ameena Begum, late Habeebunnisa Begum, Mrs. Zainab Begum and Mrs. Ruqia Begum. In the year 1999 said son also died leaving behind him appellants herein as his wife, sons and daughter.

That said daughters of late Khader Shareef and sisters of Ameeruddin Shareef filed a suit for partition in O.S. No.505 of 2005 on the file of the Hon'ble VI Additional Senior Civil Judge, (FTC), Medchal, Ranga Reddy District, against legal heirs of late Ameeruddin Shareef in respect of said properties detailed above by claiming share. But the same was resisted by legal heirs of said brother by filing written statement. During the pendency of the suit respondent No.1 died. Where upon respondent No.7 to 10 are brought on record as her only legal heirs. However, a preliminary decree was passed by judgement dated 16-09-2011 in which respondents No. 2 to 10 herein were allotted 6/8th share jointly, out of said properties in said suit while appellants here in were allotted 2/8th share jointly. Aggrieved by the above judgement, the appellants herein filed A.S. No.901 of 2011 on the file of the Hon'ble High Court and obtained interim stay orders of passing of final decree and the above appeal is still pending. During the pendency of the appeal respondent No.4 died. Respondents No.11 & 12 are her only legal heirs. Even during the pendency of the appeal respondent No.3 died. Respondents No.13 is her only legal heir.

While so, the appellants and the respondents No. 2, 5 to 13 have amicably resolved their disputes on the intervention of relatives and well-wishers especially respondent No.15 (Mr. Krishna Reddy) the



Ameena Begum



Ruqia Begum



Zainab Begum

Yasmeen
M. Afsan

M. D. K. S. R.



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4. That respondent No.14 being bonafide purchaser and respondents No.15 to 18 being nominees of respondent No.14, got themselves impleaded in present appeal. Appellants and respondents No. 2, 5 to 13 herein have jointly agreed and declare that they have no objection if plaint schedule property is allotted in favour of respondents No.14 to 18 as detailed below.

- i) Land to the extent of Ac: 00-19 guntas in survey No. 532 of Dundigal village out of total extent of Ac: 03-19 guntas is allotted to respondent No.14 (A.Muthyum Reddy).
- ii) Land to the extent of Ac: 01-27 guntas in survey No. 569 of Dundigal village out of total extent of Ac: 02-05 guntas is allotted to respondent No.16 (A.Rajani).
- iii) Land to the extent of Ac: 00-09 guntas in survey No. 569 of Dundigal village out of total extent of Ac: 03-19 guntas is allotted to respondent No.17 (Amaram Bal Reddy).
- iv) Land to the extent of Ac: 00-09 guntas in survey No. 569 of Dundigal village out of total extent of Ac: 02-05 guntas is allotted to respondent No.18 (A.Muthyum Reddy).
- v) Respondents No. 2, 5 to 13 herein are withdrawing their suit claim in respect of Ac: 00-27 guntas in survey No. 34 of Dundigal village as well as from house site of 600 square yards situated at Dundigal village.

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5. That appellants and respondents No. 2, 5 to 13 in the above appeal have jointly agreed and declare that it shall be open for respondents No.14 to 18 to obtain mutation proceedings in their favour in respect of the above said lands, which are allotted to them in terms

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12/12/2023

3) Ashraf

Yasmeen.

M. Afzal

MD Kadir

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Ashraf

M. Afzal

MD Kadir

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and on the basis of this compromise. All the appellants herein as well as respondents No. 2, 5 to 13 shall not have any subsisting rights over said lands hereinafter, which are allotted to respondents No. 14 to 18.

6. That final decree proceedings are pending before trial Court. In terms of compromise in present appeal, final decree shall be engrossed before trial Court, accordingly possession of said allotted land shall be delivered to Respondents No.14 to 18 separately in terms of said final

7. That all the appellants and respondents No. 2, 5 to 13 herein declare that in future neither themselves nor their legal heirs or family members shall ever question this compromise and they shall not file any other case or cases in respect of the above suit lands.

8. That in view of transferring the above lands in favour of respondents No. 14 to 18, all the appellants and respondents No. 2, 5 to 13 in the appeal, are withdrawing their respective claims in respect of the lands which are allotted to respondents No. 14 to 18 and also withdraw all their complaints, if any made by each other before various authorities.

9. That both the parties declare that they have not created any encumbrance with regard to their shares, pursuant to the lower Court judgment and decree except with respondent No.14.

3) *Qadeer* *M. Afsan* *Yasmeen.*

M Afsan

MDKausar

Ashraf



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Rashid Reem



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Tahira Reem

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Hence in view of the above both the parties pray that this Hon'ble Court may be pleased to record this compromise and to dismiss the appeal and to pass such other order or orders which this Hon'ble Court deems fit and proper in the circumstances of the case.

Appellant No.1

Appellant No.4.

Respondent No.2

Respondent No.7

Respondent No.10.

NAZIMA

Respondent No.13.

16 A. Rajani

Respondent No.16.

Appellant No.2

Appellant No.5

Yasmeen.

Respondent No.5

Respondent No.8

MD/Karim

Respondent No.11.

Respondent No.14.

17 A. Rajani

Respondent No.17.

Appellant No.3

Respondent No.6

Respondent No.9

Respondent No.12.

Respondent No.15.

Respondent No.18.

Nazir Ahmed Khan

COUNSEL FOR APPELLANTS

COUNSEL FOR RESPONDENTS.

Hyderabad

Date: -06-2023.