

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos. 1484-1485/2005

GURUSIDHAPPA (D) BY LRS.

Appellant(s)

VERSUS

THIMMAIAH (D) BY LRS. & ANR.

Respondent(s)

O R D E R

We are glad that the parties have settled their disputes amicably. A joint compromise petition signed by learned counsel for the parties and by Mr. Nagaraj, (respondent No.1 (f)) for himself and on behalf of other respondents has been filed by learned counsel for the parties.

The joint compromise petition is supported by the duly sworn affidavits of Mallappa (appellant No.1) and Nagaraj (respondent No.1(f)). The joint compromise petition is taken on record. The terms of settlement between the parties reads as follows:

"the respondents will retain entire extent of 10 guntas of lands including the 2 guntas of *pot kharab* in Sy. NO. 149/2 of Gabbur Village. Further, the respondent Nos. 1(a) to 1(f) are entitled to retain 2 guntas of land in Sy. No. 23 of Gabbur Village.

The appellants will have no claim whatsoever over the above said lands and the challenge to order of Land Tribunal confirming occupancy rights in favour of respondents is withdrawn.

It is submitted that the appellants herein are entitled to retain 5 guntas of land in Sy. No. 23 of Gabbur Village out of 7 guntas and the respondents herein will not have any claim whatsoever over the said 5 guntas of land.

The respondent Nos. 1(a) to 1(f) will deliver the possession of the said 5 guntas of lands within one

month from the date of the order passed by this Hon'ble Court.

In view of the above settlement, the order of Land Tribunal and order of High Court may kindly be modified holding that the respondents are entitled for grant of occupancy rights in so far as Sy. No. 149/2 measuring 10 guntas of land including 2 guntas of *pot kharab* in Sy. No. 149/2 & 2 guntas of land in Sy. No. 23 of Gabbur Village adjacent to Sy. No. 149/2 and grant of occupancy rights in so far as 5 guntas of land in Sy. No. 23 is set aside. Further, the appellants are entitled to retain, as owners of the said 5 guntas of lands in Sy. No. 23. That the appellants will get their names entered in the record of rights, and other revenue records as owners, in respect of 5 guntas of lands in Sy. No. 23 for which the respondents will not raise any objections and will cooperate before the authorities.

That on behalf of appellant Nos. 1 to 3, this joint compromise petition is endorsed by Sri. Mallappa s/o Gurusiddappa Menasinakai, appellant No.1 herein by way of duly sworn in affidavit, for himself and on behalf of other appellants.

That on behalf of respondent Nos. 1(a) to 1(f), this joint compromise petition is signed by respondent No.1(f) Nagaraj s/o Thimmaiah Uppar."

The civil appeals are disposed of in terms of the above compromise.

.....J.
[Madan B. Lokur]

.....J.
[S.A. BOBDE]

NEW DELHI
AUGUST 26, 2015

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

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Respondent(s)

Date : 26/08/2015 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE S.A. BOBDEFor Appellant(s) Mr. P. R. Ramasesh, Adv.
Mr. Azeem A. Kalebudde, Adv.For Respondent(s) Mr. Basava Prabhu S. Patil, Sr. Adv.
Mr. Subrahmanya Prasad, Adv.
Mr. Chinmay Deshpande, Adv.
Mr. Amjid Maqbool, Adv.
Mr. V. N. Raghupathy, Adv.
Mr. Anirudh Sanganeria, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The civil appeals are disposed of in terms of the signed order.

(Meenakshi Kohli)
COURT MASTER(Jaswinder Kaur)
COURT MASTER

[Signed Order is placed on the file]