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SLP(C)No. 7663 OF 1999
ITEM No.29

Court No. 8

SECTION IVA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.7663/1999

(From the judgement and order dated 28/10/1998 in RFA 342/89
of The HIGH COURT OF KARNATAKA AT BANGALORE)

SALIMUNNISA BEGUM

Petitioner (s)

VERSUS

DASTAGIR & ORS
(With Appln(s). for c/delay in filing SLP)
(With IA Nos.3-4-appls. for c ompromise a nd deleting the names of
respondent Nos.3,5 and 6)

Respondent (s)

Date : 04/02/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.P. MOHAPATRA
HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

For Petitioner (s) Mr. R.S.Hegde,adv.
Mr. P.P. Singh,Adv.

For Respondent (s) Mr. S.N. Bhat,Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....T.J
.SP2
In I.A.No.4@@
CCCCCCCCC

In this application petitioners have prayed for
deletion of names of respondent Nos.3,5 and 6 from the
array of the parties in the case. There is no objection to
the prayer. Accordingly the prayer is allowed. The names
of respondent Nos.3,5 and 6 are deleted.

Leave granted.

The Appeal is disposed of accordingly. No costs.

.SP1

(Suman Wadhwa)
Court Master

(S.Malkani)
Court Master

Signed order is placed on the file.

Item No.29

Ct.No.8

Draft
4.2.2002

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2002@@
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(Arising out of S.L.P.(C)No. 7663/1999)

Salimunnisda Begaum

...Appellant

Vs.

Dastagir & Ors.

...Respondents

ORDER@@
CCCCC

.....L.....I.....T.....T.....T.....T.....T.J
.SP2
In I.A.No.4@@
CCCCCCCCCCCC

In this application petitioners have prayed for deletion of names of respondent Nos.3,5 and 6 from the array of the parties in the case. There is no objection to the prayer. Accordingly the prayer is allowed. The names of respondent Nos.3,5 and 6 are deleted.

Heard learned counsel appearing for the petitioner-who is defendant No.3 in the suit and learned counsel appearing for respondent No.1-who is plaintiff in the suit. Leave granted.

In paragraph 5 and 6 of the compromise petition it is averred as follows:

.....L.....I.....T.....T.....TJ.
.SP1

"Plaintiff/Respondent No.1
Dastagir has received a sum of
Rs.2,25,000/- (Rupees Two Lakhs
Twenty Five Thousand Only) from
the petitioner Smt. Salimunnisa
Begum. He gives up his claims in
respect of the suit schedule
property and confirms the legality
of the sale deed dated 09.11.1945
and subsequently settlement deed
dated 18.02.1966. He gives up his
claim for declaration and
possession of the suit schedule

-2-

property more fully described
above, and he withdraws his suit
recognizing the title of the
petitioner herein in respect of
the suit schedule property and
henceforth he has no right, title
and interest arising out of the
sale deed dated 28.06.1974,
executed in his favour.

In the aforesaid
circumstances, it is most
respectfully prayed that this

Hon'ble Court be pleased to record
this compromise and direct
dismissal of the suit in
O.S.No.3523/80 on the file of the
156th Addl. City Civil Judge,
Bangalore City, in view of this
compromise arrived at between the
petitioner and Respondent No.1

.....L.....I.....T.....T.....T.....T.....T.J
.SP2

Considering the averments in the compromise
petition mentioned above it is ordered that Appeal is
disposed of in terms of the compromise. The Suit OS
No.3523/80 is dismissed which is pending on the file of
15th Additional City Civil Judge, Bangalore City. The
judgments passed by the courts below are set aside.

The Appeal is disposed of accordingly. No costs.

.SP1

.....J.
(D.P. MOHAPATRA)

.....J.
(P.VENKATARAMA REDDI)

New Delhi;
February 4, 2002.