

Date of Order or Proceeding	Order or Other Proceeding. Present : M.H. Ansari. A.J.S. Civil Judge-1 Cachar, Silchar. M.S. 01/18	Signature of the Court	Office action taken on order with & ex-dated signature pleaders or parties when necessary
01-09-18	Parties are represented. On 16-07-18 the plaintiff and the defendant filed a joint petition wherein they stated that they have been agreed to settle the matter amicably on condition that the defendant was cleared up his liability by paying the total sum of Rs. 7,00,000/- to the plaintiff in 14 EMIs of Rs. 50,000/- each. Hence, it is prayed to deliver Judgment on compromise. I have already heard both sides with regard to the plaintiff. However, today the plaintiff filed a petition stating that as per terms and conditions the defendant was supposed to pay Rs. 50,000/- per month. However, the defendant has only deposited Rs. 10,000/- each on two occasions (i.e. 31-07-18 & 28-08-18). Hence, prayed to pass necessary order. On the other hand the defendant filed a petition stating that for last few months he has been suffering from various diseases and he had gone to Apollo Hospital, Chennai for treatment and therefore he has not been able to pay EMI of Rs. 50,000/- as agreed upon. That the non payment of EMI is not intentional and willful. Hence, it is prayed that he may be allowed to pay the liability/loan in the coming days as per the terms and condition of the compromise petition. Now having heard both sides and having perused	 Civil Judge No-1 Cachar, Silchar	

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the case record it is clear that defendant has admitted his liabilities towards the plaintiff. Defendant has also admitted that he has to pay total amount of Rs. 7,00,000/- to the plaintiff.

Hence in view of the above facts and circumstances the instant Money suit is decreed on compromise as per the terms and conditions as laid down in the compromise petition No. 177/26. Accordingly the instant suit is disposed of on compromise.

Prepare a decree accordingly.

Let the compromise petition No. 177/26 be made a part of the decree.

So far as non payment of EMI by defendant is concerned the plaintiff is at liberty to file execution proceeding for recovery of the suit amount as per law.

The suit stands disposed of on compromise.

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Decree prepared sealed & signed & kept with the case record.

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