

Court No. - 19

Case :- SECOND APPEAL No. - 197 of 1995

Appellant :- Ram Manorath Mishra

Respondent :- Hargovind Mishra

Counsel for Appellant :- S.K.Mehrotra,I.D.Shukla

Counsel for Respondent :- Rajendra Prasad Shukla,Rajendra Prasad Shukla

Hon'ble Jaspreet Singh,J.

1. Heard Shri Durgesh Kumar Pathak, holding brief of Shri I. D. Shukla, learned counsel for the appellant and Ms. Pallvi Dubey appearing under the authority of Shri Rajendra Prasad Shukla, for the respondent.

2. In the instant appeal, the parties have arrived at a compromise which was filed before the Court and a Co-ordinate Bench by means of order dated 25.07.2023 had passed the following order which reads as under:-

"1. The instant application has been filed by the respondents stating therein that the parties have settled their dispute out of the Court amicably. Copy of the compromise (described as Yaddashtnama) is annexed alongwith the application which is supported by an affidavit of one Dharam Prakash Mishra.

2. Another application No.14 of 2023 has been filed on behalf of appellants to the same effect.

3. Let the compromise be sent to the trial court for verification.

4. As both the counsels agree and matter has been compromised, the parties are directed to appear before the trial court on 28.08.2023.

5. The trial court after verifying the compromise may submit its report to this Court within a period of four weeks' thereafter. In case, any of the signatory of the compromise did not appear before the trial court, notices be issued by the trial court to ensure the presence of the parties and to ensure the verification of compromise.

6. List after two months."

3. In furtherance of the aforesaid order, the compromise was verified before 6th Additional Civil Judge (Junior Division), Faizabad on 15.09.2023. Since the parties have resolved their disputes and the compromise which has been verified as aforesaid.

4. Accordingly, the instant second appeal is decided in terms of the compromise. It shall be part of the decree.

5. The record of the trial court be returned forthwith.

Order Date :- 7.12.2023

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