

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.248 of 2009

- =====
1. Ramashankar Singh.
 2. Surendra Singh @ Surendra Kumar Singh.
- Both 1 and 2 are sons of Late Sita Ram Singh.
3. Devendra Singh, Son of Late Brij Kishore Singh.
 4. Chuman Singh, Son of Late Hari Shankar Singh.
- All are R/o Village-Tiyain, P.S.-Andar, District-Siwan.

-Defendant/Appellants/Respondents.

Versus

1. Hari Kihore Rai, Son of Late Ram Bahadur Rai.
2. Din Bandhoo Rai.
3. Shyam Bandhoo Rai.
4. Krishna Bandhoo Rai.

All 2-4 son of Hari Kishore Rai all 1-4 resident of Tejain, P.S.-
Andar, District-Siwan.

-Plaintiffs/Respondent 1st set/Respondent 2nd set.

5. i. Uday Pratap Singh, son of Late Kedar Singh.
- ii. Santosh Kumar.
- iii. Anand Kumar.
- iv. Anup Kumar.
- v. Sangram Kumar.

All from ii to V are sons of Uday Pratap Singh.

All the above are resident of Village- Bairiya, District-Deoriya,
U.P.

6. Smt Sarita Devi, W/o Sri Ram Singh.
7. Shobha Devi, W/o Kharag Bahadur Singh.
8. Smt Sumila Devi, W/o Upendra Singh.

All 6-8 Daughter of Hari Sahankar Singh All 6-8 resident of Village-
Tejain, P.S.-Andar, District-Siwan.

----Defendant 2nd set/Appellant/Respondent.

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Appearance :

For the Appellant/s : Mr. Dilip Kumar
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

10 03-03-2015

Heard Mr Ranjeet Kumar, the learned counsel appearing on behalf of the appellants and Mr Ranjan Kumar Dubey, the learned counsel for the plaintiff-respondent nos.1 to 4.

The learned counsel for the respondent no.14 (substituted heirs) and respondent nos.15 to 17 is also present.

Mr Ranjan Kumar Dubey, the learned counsel for the plaintiff-respondent nos.1 to 4 has prayed for permission to correct the father's name of respondent nos.2,3 and 4 in the affidavit portion accompanying the supplementary affidavit dated 13.02.2015.

Permission is accorded.

The learned counsel for the parties have jointly submitted that the parties to the appeal have entered into compromise and have settled their dispute outside the Court and in terms of the compromise the interlocutory application (I.A.No.2624/2014) has been filed. It has, therefore, been jointly prayed that this appeal be disposed of in terms of the compromise as mentioned in the interlocutory application (I.A.No.2624/2014).

From the records it appears that the heirs of the deceased respondent no.14 (substituted in this appeal) and the respondent nos. 15, 16 and 17 have filed a rejoinder on 22.01.2015

wherein they have expressed their no objection to the disposal of this appeal in terms of the compromise as entered into between the appellant and the respondent nos.1 to 4.

In view of the aforesaid facts and submissions on behalf of the parties to this appeal, this appeal is disposed of in terms of the compromise as apparent from the interlocutory application (I.A.No.2624/2014), which shall form part of the decree.

(V. Nath, J)

Nitesh/-

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