

IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.160 of 2005

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Devendra Singh & Ors

.... Appellant/s

Versus

Gaya Moti Kuer & Ors.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Jitendra Pd.Singh
Mr. Santosh Kumar Verma

For the Respondent/s : Mr.
Mr. Ashok Kumar
Mr. Md.Waliur Rahman
Mr. Radha Mohan Pandey
Mr. Binod Kumar
Mr. Mallika Mazumdar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

31 16-09-2016

I.A. No. 870 of 2015.

The instant I.A. has been filed under Order- XXIII Rule 3 of the C.P.C. praying therein to dispose of the appeal on the basis of the compromise entered into between the parties.

It is submitted that appellant nos. 2, 3 and 6 to 8 are minors and as such on their behalf affidavits have not been filed. So far respondent no. 8 (a) is concerned, on her behalf supplementary affidavit has been filed. So far respondent nos. 11 to 29 are concerned, they are purchasers and in the compromise petition in paragraph-5 it is mentioned that the properties which have been purchased by the purchasers have not been included in

the schedule of the compromise and the purchasers are in possession of the properties purchased by them and as such they are not the necessary parties in the compromise.

Heard both the learned counsels on the compromise petition.

Under the circumstances, the compromise petition filed on behalf of the parties is hereby accepted. The compromise petition will form part of the decree and accordingly I.A. No. 870 of 2015 stands allowed and in terms of the compromise the appeal is disposed of.

(Jitendra Mohan Sharma, J)

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