

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**First Appeal No.149 of 2009**

1. Jagdish Prasad Dhangar, son of Late Ramcharan Dhangar, aged about 64 years, R/o. Nandi Chowk, Tikrapara, Raipur Tehsil & District Raipur (CG)
2. Palturam Dhangar S/O Late Ramcharan Dhangar, Aged about 48 years, R/O Nandi Chowk, Tikrapara, Raipur
3. Smt. Shanti Bai Dhangar D/O Late Ramcharan Dhangar, aged 50 years, R/o Nandi Chowk, Tikrapara, Raipur

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1. Laxmi Narayan Singh, aged about 35 years, Son of Shri Onkar Nath Singh, R/o. Arvindo Enclave, Pachpedi Naka, Raipur, Tehsil and District Raipur
2. State Of C.G. Through Collector, Raipur, Tehsil & District Raipur.

For the appellants	:	Shri BP Sharma, Advocate.
For respondent No.1	:	Shri Sachin Singh Rajput, Advocate
For respondent No.2	:	Shri Adhiraj Surana, Dy. GA

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board**Per Prashant Kumar Mishra, J****14.7.2016**

Heard on IA No.03/2016, application under Order 22 Rule 3 and Rule 9 read with Section 151 of the CPC and IA No.04/2016, application under Section 5 of the Limitation Act.

2. The applications are not opposed by counsel for respondent No.1.
3. Appellant No.2 Paltu Ram Dhangar expired on 23.01.2015 leaving behind the applicants named in IA No.3 & 4.
4. There being no objection from the other side, the applications for bringing the legal heirs of deceased appellant No.2 on record; for

setting aside abatement and for condonation of delay in filing the applications are allowed.

5. Let the memo of appeal be corrected during the course of the day to incorporate the names of legal heirs of deceased appellant No.2.

6. Heard learned counsel for the parties on IA No.01/2016, application under Order 23 Rule 3 read with Section 151 of the CPC for recording the compromise and passing the decree in terms of prayer mentioned in the application.

7. The application is either signed or thumb impressed by the parties to the appeal. The application is also supported by affidavit of Jagdish Prasad Dhangar and Laxmi Narayan Singh. Respondent No.01- Laxmi Narayan Singh and Bhushan Prasad, S/o. Appellant No.3 Smt. Shanti Bai Dhangar are present.

8. On due consideration, the application (IA No.01/2016) is allowed.

9. Let decree be prepared in terms of para 4(i) & 4(ii) of the application under Order 23 Rule 3 read with Section 151 of the CPC.

10. The first appeal is allowed in terms of the compromise.

Sd/-
(Prashant Kumar Mishra)
JUDGE

Sd/-
(Chandra Bhushan Bajpai)
JUDGE