

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No.711 of 2009

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Phul Jha

.... Petitioner/s

Versus

Gouri Nath Jha

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Respondent/s : Mr. Gyanand Roy

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

- 03 23.11.2017 1. Heard learned counsel Sri Dhaneshwar Prasad Gupta appearing for the petitioner as well as learned counsel Sri Gyanand Roy for the opposite party and perused the record.
2. This revision petition has been preferred against the order dated 24.1.2009 passed by learned Addl. District Judge (FTC no. 7), Purnea in Misc. Appeal no. 12/1996 by which and whereunder he confirmed the order dated 28.2.1996 passed by learned Munsif, Sadar, Purnea in Misc. Case no.25/1985 which had been filed by the petitioner of the present revision under Order 21 Rule 90 of the CPC for setting aside auction sale of land in Money Execution case no. 45/1979.
3. During the pendency of this revision



petition, I.A. no. 4483/2015 supported with affidavit of the parties has been filed and in the aforesaid interlocutory application, it has been mentioned that both parties have compromised the case and it has specifically been mentioned at para 5 of the aforesaid interlocutory application that opposite party will never claim upon the land situated in mauza Bidaili Devi P.S 328 khata no. 18 plot nos. 36 and 15 total area 52 ½ decimal and shall also not disturb possession of the petitioner over the above stated land.

4. Learned counsels appearing for the parties submit that this revision may be disposed of in the light of averments made in I.A. no. 4483/2015.

5. In view of the facts as well as submissions of the parties, this revision petition stands disposed of in the light of averments made in I.A. no. 4483/2015 with this direction that I.A. no. 4483/2015 shall be treated as part of this order.

Shahid

(Hemant Kumar Srivastava, J)

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