

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1420 of 2016

=====

Priya Brat Narain Singh, son of Late Ganesh Narain Singh, resident of village-Bahuara, P.S.-Barun(now Narari Khurd), District-Aurangabad at present residing in Karmapur, Aurangabad, Opposite to police line, P.O. & P.S.-Aurangabad

.... Petitioner/s

Versus

1. Vishwanath Singh son of late Ganesh Narain Singh, resident of Village-Bahuara, P.S.-Barun (now Narari Khurd), District-Aurangabad
2. Raj Kishore Singh, son of late Ganesh Narain Singh
3. Shanti Devi, wife of late Lal Mohan Singh, Both resident of Village-Dehara, P.O.-Bahuriya Bigha, P.S.-Barun(Narari Khurd), District-Aurangabad

At present respondents no.2 & 3 resident at Mohalla-West Mohan Bigha near G.T. Road Sabita Palace, P.O. & P.S.-Dehri-on-sone, District-Rohtas, Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Kunwar Narayan Jamuar
For the Respondent/s : Mr. Raghunandan Kumar Singh
Mr. Narendra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 25-10-2018 Heard both sides.

The petitioner has filed this civil miscellaneous petition against the order dated 24.09.2016 passed in Misc. Case No.6 of 2015 arising out of Partition Suit No.122 of 2006 by which preparation of final decree was set aside and at the same time, new Pleader Commissioner was appointed to bifurcate the lands on the basis of the preliminary decree among the plaintiff and defendants.

Learned counsel for the petitioner submits that during the pendency of this civil miscellaneous petition, the petitioner and



the respondents have compromised the case and also filed compromise petition. Compromise petition is brought on record as Annexure 1 of the supplementary affidavit. In this view of the fact, learned counsel for the petitioner seeks permission to withdraw this civil miscellaneous petition so that final decree be prepared by the learned Court below on the basis of the compromise arrived at between the parties.

Accordingly, this civil miscellaneous petition is disposed of as withdrawn with a direction to the learned Court below to pass order in accordance with law on the basis of compromise petition filed by both sides.

(Prabhat Kumar Jha, J)

Saurabh/-

U			
---	--	--	--

