

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.325 of 2004

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Awadhesh Rai @ Awadhesh, son of Late Dip Narain Rai @ Dip Chand,
resident of village Garikhana, Rampur, Police Station Khagaul, District Patna

... .. Appellant/s

Versus

Raudi Raut, son of Late Dip Narain Rail @ Dip Chand, resident of village
Garikhana, Rampur, Police Station Khagaul, District Patna

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Krishna Kishore Sinha
For the Respondent/s : Mr. Ashok Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

17 22-03-2018 I. A. No. 2230 of 2018 has been filed, under Order 23 Rule
3 of the Code of Civil Procedure, 1908, seeking disposal of the
appeal in terms of compromise reached between the parties.

Following are the statements made in the compromise
petition:-

“3. That with the intervention of common
relatives, friends and well wishers of the
parties, the parties to this appeal have
settled/compromised their dispute outside the
Court in sound state of health and mind and
also without any coercion and under pressure.
Accordingly, “Yadast-Batwara” in respect of
ancestral as well as purchased land has been
prepared in presence of witnesses. According
to said Yadast Batwara, Jamima No. 1 fell to
the exclusive share of Raudi Raut (respondent)



whereas Jamima No. 2 fell to the exclusive share of Awadhesh Rai @ Awadhesh (sole appellant). Both parties agree that they shall not interfere in any manner in respect of share allotted to each other.

4. That apart from above, the parties agree that Holding no. 250, 291 and 52/43 shall remain the exclusive property of Raudi Raut (respondent) and Holding No. 46 and 55 shall remain the exclusive property of Awadhesh Rai (appellant) and no party or their heirs and successors shall claim in future.

5. That Raudi Raut gave Awadhesh Rai Plot No. 156, Khata No. 159, Area 6 decimals and Plot No. 174, Khata No. 159, Area 2 decimals, mauza Adampur, Thana No. 39, for excesses Holding Land said Holding No. 250, 291 and 52/43.

6. That in token of the said compromise, both parties have put their respective signatures on the compromise petition and have also sworn affidavits.”

I. A. No. 2230 of 2018 is allowed in terms of the compromise arrived at between the appellant and the respondent.

The Yaddast Batwara has been annexed as Annexure 1 to the interlocutory application, the same shall form part of the



decree.

The Second appeal stands disposed of accordingly in terms
of the compromise.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

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