

IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.4 of 2014

Binay Kumar

... .. Appellant/s

Versus

Bijay Kumar Ray

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Harshwardhan Sahay
For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

11 25-04-2018 I.A. No. 1968 of 2018 has been filed on behalf of respondent under Section 151 C.P.C. stating therein that parties have compromised the dispute amicably outside the Court and now both the parties do not want to proceed with the appeal, the respondent has received the entire consideration money and is ready to execute the sale deed in favour of the appellant.

I.A. No. 2508 of 2018 has been filed on behalf of appellant under Order 23 Rule 1 of C.P.C. to permit the appellant to withdraw this present appeal as the parties have compromised the suit. The respondent has received the entire consideration amount and he is ready to execute the sale deed with respect to suit properties in favour of the appellant and, as such, under the changed circumstances the appellant does not want to prosecute this appeal.



Heard both the learned counsels.

Both the learned counsels submit that the parties have compromised this dispute outside the Court, the respondent has received entire consideration amount and he is ready to execute the sale deed with respect to the suit property in favour of the appellant.

Under the changed circumstance, the appellant is permitted to withdraw this appeal. As the respondent has received entire consideration amount and, as such, the respondent will execute the sale deed in favour of the appellant with respect to suit land without any further delay.

Accordingly, this appeal stands dismissed as withdrawn and both the interlocutory applications also stands disposed of.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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