

HIGH COURT OF CHHATTISGARH, BILASPUR

FA No. 97 of 2007

Kunj Bihari Sahu, aged 38 years, S/o Shri Jaggu Sahu, By Caste -
Teli, R/o Village- Mopka, Tahsil & District- Bilaspur (C.G.)

---- Appellant

Versus

Maitu Ram Yadav (Died) Through Lrs.

1. Rukhmani Devi Yadav, Wd/o Late Maitu Ram Yadav, aged about 55 years.
2. Harish Chandra, S/o Late Maitu Ram Yadav, aged about 32 years.
3. Uma Yadav, D/o Late Maitu Ram Yadav, aged about 20 years.
All R/o Village- Mopka, Tahsil & District- Bilaspur (C.G.)

---- Respondents

For Appellant : Mrs. Ranjana Singh Tomar, Advocate.
For Respondents : None.

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

12/07/2019

1. This first appeal is preferred under Section 96 of the Code of Civil Procedure, 1908 against judgment/decreed dated 27.06.2007 passed by First Additional District Judge, Bilaspur, (C.G.) in Civil Suit No. 4-A/2006, wherein the said court decreed the suit for Rs. 1,80,000/- in favour of the original respondent.
2. In execution proceeding before the court of First Additional District Judge, Bilaspur, the parties have arrived at settlement. The decree holder received a cheque for Rs. 1,50,000/- and the cheque has been encashed by the decree holder and execution proceeding is terminated for full satisfaction of the decree.
3. Learned counsel for the appellant submits that the decree is executed before the trial court, therefore, the appellant does not want to prosecute the present appeal.
4. Accordingly, the instant first appeal is dismissed as withdrawn as the decree is satisfied before the executing court.

Sd/-
(Ram Prasanna Sharma)
Judge