

HIGH COURT OF CHHATTISGARH, BILASPURSecond Appeal No. 13 of 2010

1. Shakuntala Singh W/o. Narendra Singh, Aged about 36 years,
2. Narendra Singh S/o. Bhagwati Singh, Aged about 40 years,
3. Mahendra Singh S/o. Bhagwati Singh, Aged about 25 years,

All above are R/o. Village Gonda, Police Station & Tahsil Pratappur,
District Surguja, Chhattisgarh

---- Appellants/ Defendants

Versus

1. Prabhawati S/o. Kanshi Singh, Aged about 62 years, (since dead) through LRs.

1-a. Bharat Singh S/o. Mohan Sharan Singh, Aged about 38 years, R/o. Village Gonda, Police Station and Tahsil Pratappur, District Surguja Chhattisgarh

1-b. Kamleshwar Singh S/o. Mohan Sharan Singh, Aged about 33 years, R/o. Village Gonda, Police Station and Tahsil Pratappur, District Surguja Chhattisgarh

---- Respondents/ Plaintiffs

2. State of Chhattisgarh through Collector, Surguja, Chhattisgarh

---- Respondents/ Defendant

For Appellants/ Defendants	:	Mr. Manoj Paranjpe, Advocate along with appellants- Shakuntala Singh, Narendra Singh & Mahendra Singh
For Respondents No. 1-a & 1-b	:	Mr. B.P. Gupta, Advocate along with Respondents No. 1-a & 1-b
For State/ Respondent No. 2	:	Ms. Anjali Singh Chouhan, Panel Lawyer

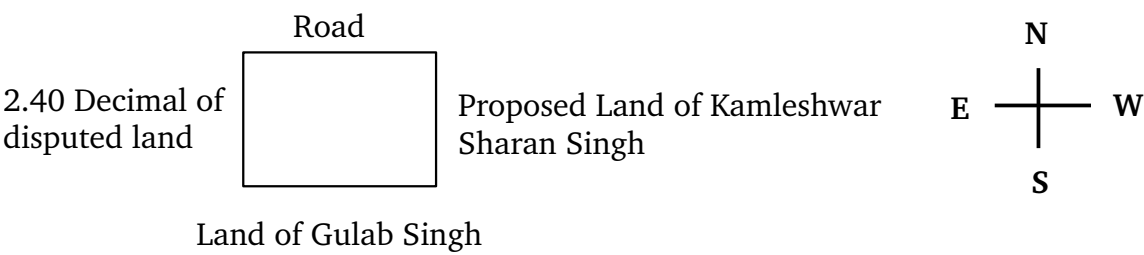
Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

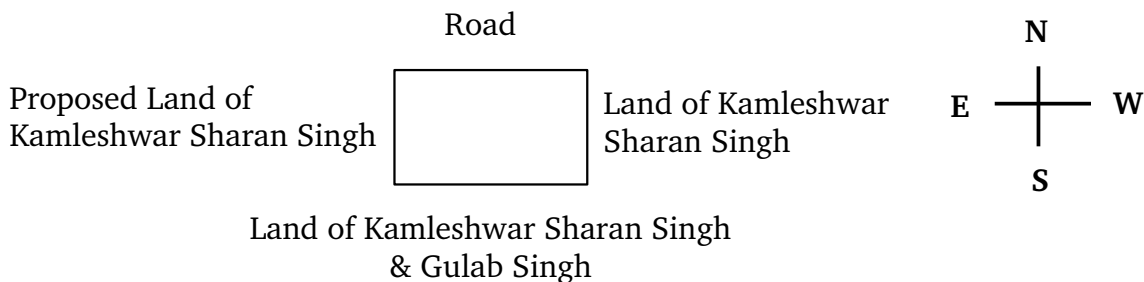
07/01/2020

1. This is an admitted appeal in which the application under Order 23 Rule 3 read with Section 151 of CPC has been filed.
2. Heard appellants with their Counsel Mr. Manoj Paranjpe and Respondents No. 1(a) and 1(b) with their Counsel Mr. B.P. Gupta on I.A. No. 07, application under Order 23 Rule 3 read with Section 151 of CPC.
3. Learned counsel for the parties submit that compromise has taken place between the parties in the terms and conditions mentioned in paragraph 06 of their application and they have compromised the matter to resolve the dispute between them, therefore that may be accepted and decree be passed. Parties present also expressed that they have compromised the matter by resolving their dispute in terms of I.A. No. 07.
4. Para 06 of the application filed under Order 23 Rule 3 read with Section 151 of CPC states as under:-
 - A). The property in question bearing Khasra No. 595 (New Number 364/1) area 0.085 hectare = 21 decimal, situated at village Pratappur, Tahsil Pratappur, District Surajpur Chhattisgarh would be divided between Shakuntala Singh, Bharat Singh & Kamleshwar Singh.
 - B). Only 18.60 decimal of land out of 21 decimal is available on spot.
 - C). According to the compromise 5 decimal of land, out of 18.60 decimal on the eastern side will be given to Shakuntala Singh, W/o. Narendra Singh, aged about 54 years and so far as this 5 decimal of land of Khasra No. 595 (New Number 364/1) is concerned, no interference would be made by Respondents No. 1-a and 1-b and she will enjoy all the rights over the said 5 decimal of land and she would be entitled to record her name in respect of the said 5 decimal of land and no objection will be raised by

Bharat Singh or Kamleshwar Singh. The descriptions of their properties and boundaries are as mentioned:-

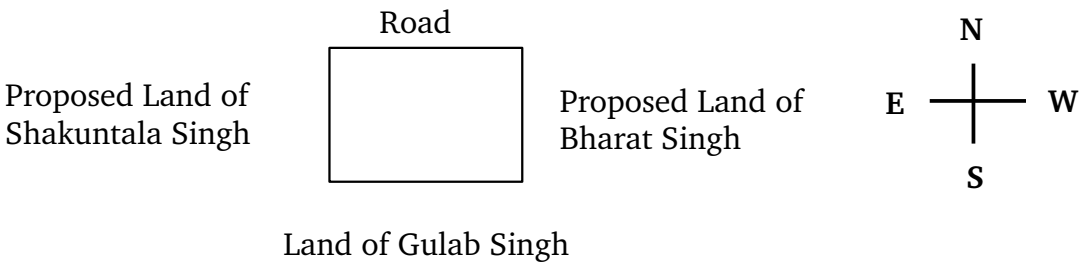


D). According to the compromise 4.30 decimal of land, out of 18.60 decimal on the western side (last portion) will be given to Bharat Singh, S/o. Mohan Sharan Singh, aged about 62 years and so far as this 4.30 decimal of land of Khasra No. 595 (New Number 364/1) is concerned, no interference would be made by appellants including Shakuntala Singh and respondent No. 1-b and he will enjoy all the rights over the said 4.30 decimal of land and he would be entitled to record his name in respect of the said 4.30 decimal of land and no objection will be raised by Shakuntala or any of the appellants or by Kamleshwar Singh. The descriptions of the properties and boundaries are as mentioned:-



E). That, according to the compromise 9.30 decimal of land, out of 18.60 decimal, situated in the center will be given to Kamleshwar Singh, S/o. Mohan Sharan Singh, aged about 59 years and so far as this 9.30 decimal of land of Khasra No. 595 (New Number 364/1) is concerned, no interference would be made by appellants including Shakuntalal Singh and respondent No. 1-a and he will enjoy all the rights over the said 9.30

decimal of land and he would be entitled to record his name in respect of the said 9.30 decimal of land and no objection will be raised by Shakuntala or any of the appellants or by Bharat Singh. The descriptions of the properties and boundaries are as mentioned:-



- 5. After hearing the parties and their counsel and after going through the record, I am satisfied that the compromise is lawful and they have entered into compromise voluntarily without any pressure. Accordingly, I.A. No. 07 is allowed.
- 6. The second appeal finally stands disposed off having been compromised between the parties. No cost(s).
- 7. Compromise decree be drawn up accordingly and application for compromise i.e. I.A. No. 07 be made a part of the decree.

Sd/-
(Sanjay K. Agrawal)
Judge