

HIGH COURT OF CHHATTISGARH, BILASPUR

NATIONAL LOK ADALAT

Judge - Lok Adalat : Hon'ble Smt. Justice Rajani Dubey

Member - Lok Adalat: Shri Sandeep Dubey, Advocate

SA No. 438 of 2016

1. Bhagwat Satnami S/o Late Dharmu Satnami, Aged About 65 Years R/o- Village- Devri, Tahsil- Dhamdha, District- Durg, Chhattisgarh., Chhattisgarh
2. Smt. Pushpanjali, Wd/o Late Sushil, Aged About 50 Years Legal Heirs Of Deceased Plaintiff No. 2 Sushil, S/o Bhagwat Satnami, Civil And Revenue District- Durg., District : Durg, Chhattisgarh
3. Bhupendra Banjare, S/o Late Sushil, Aged About 14 Years Are Minors Through Their Natual Guardian Mother Smt. Pushpanjali, Legal Heirs Of Deceased Plaintiff No. 2 Sushil, S/o Bhagwat Satnami, Civil And Revenue District- Durg., District : Durg, Chhattisgarh
4. Jyoti Banjare, D/o Late Sushil, Aged About 12 Years Are Minors Through Their Natual Guardian Mother Smt. Pushpanjali, Legal Heirs Of Deceased Plaintiff No. 2 Sushil, S/o Bhagwat Satnami, Civil And Revenue District- Durg., District : Durg, Chhattisgarh
5. Sanjana Banjare, D/o Late Sushil, Aged About 10 Years Are Minors Through Their Natual Guardian Mother Smt. Pushpanjali, Legal Heirs Of Deceased Plaintiff No. 2 Sushil, S/o Bhagwat Satnami, Civil And Revenue District- Durg., District : Durg, Chhattisgarh
6. Kajal Banjare, D/o Late Sushil, Aged About 8 Years Are Minors Through Their Natual Guardian Mother Smt. Pushpanjali, Legal Heirs Of Deceased Plaintiff No. 2 Sushil, S/o Bhagwat Satnami, Civil And Revenue District- Durg., District : Durg, Chhattisgarh
7. Bhupesh Banjare, S/o Late Sushil, Aged About 6 Years Are Minors Through Their Natual Guardian Mother Smt. Pushpanjali, Legal Heirs Of Deceased Plaintiff No. 2 Sushil, S/o Bhagwat Satnami, Civil And Revenue District- Durg.,.....Defendants., District : Durg, Chhattisgarh

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Versus

1. Chandrabati alias Narmada D/o Bhagwat Satnami, Aged About 41 Years W/o Rajkumar Satnami Wrongly Mentioned As Sarnami In The Impugned Judgment, R/o- Village- Somaikala, Tahsil- Saja, District- Bemetara, Chhattisgarh,.....Plaintiff., Chhattisgarh
2. State Of Chhattisgarh, Through The Collector, Durg,..... District : Durg, Chhattisgarh

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For Appellants	:	Shri Ajit Singh, Advocate.
For Respondent No.1	:	Shri Vinod Kumar Sharma, Advocate.
For State/respondent No.2	:	Shri Gurudev I. Sharan, G.A.

A W A R D

(Passed on 12.12.2020)

The appellant No.1-Bhagwat Satnami, appellant No.2-Smt. Pushpanjali widow of Late Sushil are present in person. Appellant No.3-Bhupendra Banjare, appellant No.4-Jyoti Banjare, appellant No.5-Sanjana Banjare, appellant No.6-Kajal Banjare and appellant No.7-Bhupesh Banjare are minor represented through their guardian-mother Smt. Pushpanjali. Respondent No.1-Chandrabati alias Narmada is also present in person. Parties are represented through their respective counsel.

02. This is defendants' Second Appeal. The respondent/plaintiff No.1-Chandrabati alias Narmada had filed a suit for declaration, injunction and partition against the original defendant No.1 namely Bhagwat and defendant No.2 Sushil (died during the pendency of the matter) over the suit

property which decreed in her favour against which the present appellants filed First Appeal and the First Appeal was partly allowed. Against the said judgment, the defendants have preferred the present Second Appeal.

03. Subject matter of appeal is a property dispute between the parties, who belong to the same family.

04. Pending the Second Appeal before the High Court, the parties to the dispute arrived at an amicable settlement and have filed the compromise application (I.A.No.05/2020) under Order 23 Rule 3 of Civil Procedure Code before this Court in respect of the agreement, which is supported by an affidavit of the appellant No.1/defendant Bhagwat Satnami, appellant No.2-Smt. Pushpanjali and respondent No.1/Plaintiff-Chandrabati alias Narmada. The compromise application bears signature of all the parties to the appeal, except legal heirs of appellant No.2-Smt. Pushpanjali and respondent No.1-Chandrabati.

05. Appellant Nos. 1, 2 and Respondent No.1-Chandrabati have executed affidavit on 19.03.2020 ratifying the terms of compromise application (I.A.No.5/2020). The affidavits of appellant Nos. 1, 2 and respondent No.1 are kept as part of record.

06. On being asked, the appellant Nos.1, 2 and respondent No.1, who are personally present, jointly submitted that they have compromised the matter, read the compromise application dated 15.03.2020 and that they are satisfied with

the manner of distribution of properties mentioned in the compromise application dated 15.03.2020 and also admitted their signatures. They have jointly submitted that they are ready and willing to enter into compromise in the manner as mentioned in the compromise application dated 15.03.2020.

07. As the parties have already compromised the matter and settled all their disputes outside the Court, this second appeal disposed off in terms of compromise application (I.A.No.05/2020) arrived at between the parties. Registry is directed to prepare a decree accordingly.

08. Compromise application (I.A.No.05/2020) dated 15.03.2020 shall form part of this award.

Sd/-
(Rajani Dubey)
Judge
Lok Adalat
High Court of Chhattisgarh
Bilaspur

Sd/-
(Sandeep Dubey)
Member
Lok Adalat
High Court of Chhattisgarh
Bilaspur