

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.19 of 2016

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Binay Kumar son of Late Shiv Prasad, resident of 52 / 2, Keshav Apartment King's Road, P.S. Golabari Town and District Howrah, c/o M/s Shiw Prasad Ganga Prasad, 231 M / 2 A & 231 M / 2 B , Piyaj Posta, P.S. Posta, Kolkata – 7

... .. Appellant/s

Versus

1. Sri Jamuna Prasad , son of Late Bishunpat Lal
2. Sri Rajesh Kumar
3. Sri Rajeev Kumar
4. Sri Vikash Kumar, all sons of Sri Jamuna Prasad, all residents of Mohalla Khajpura, P.O. Bihar Vetenary College, P.S. Shastri Nagar, Town & District Patna
5. Sri Vivek Kumar, son of Sri Jamuna Prasad, resident of Mohalla Khajpura, P.O. Bihar Vetenary College, P.S. Shastri Nagar, Town and District Patna presently residing at Flat No. 3167 , Wilton Road, Salisbury S.P. 27 JQ U.K.

..... Plaintiffs / Respondents

6. Sri Shyam Prasad, son of Late Shiv Prasad c/o and residing at Munder Sah Cold Storage Pvt. Ltd. at Mohalla Khajpura , P.O. Bihar Vetenary College, P.S. Shastri Nagar, Town & District Patna
7. Malti Devi, daughter of Late Shiw Prasad and wife of Late Chandrika Prasad, c/o Ranjeet Chaurasia, resident at 42 / 4 , Tin Cauri Nath Bose Lane, Salakia, Howrah – 6
8. Smt. Leela Devi, daughter of Late Shiw Prasad and wife of Sri Narendra Prasad, at Burdwan Compound, Lalpur, Ranchi
9. Sri Manish Kumar, Sri Shyam Prasad, resident of Mundar Sah Cold Storage Pvt. Ltd. at Mohalla Khajpura, P.O. Bihar Vetenary College, P.S. Shastri Nagar, Town & District Patna
10. Sri Ganga Prasad, son of Late Mundar Sah, c/o and residing at Mundar Sah Cold Storage Pvt. Ltd. at Mohalla Khajpura P.O. Bihar Vetenary College , P.S. Shastri Nagar, Town and District Patna
11. Sri Arun Kumar, son of Sri Ganga Prasad, c/o and residing at Mundar Sah Cold Storage Pvt. Ltd. at Mohalla Khajpura P.O. Bihar Vetenary College , P.S. Shastri Nagar, Town and District Patna
12. Sri Sanjeev Kumar, son of Sri Ganga Prasad, c/o and residing at Mundar Sah Cold Storage Pvt. Ltd. at Mohalla Khajpura, P.O. Bihar Vetenary College, P.S. Shastri Nagar, Town and District Patna
13. Deepak Kumar, son of Sri Ganga Prasad, c/o and residing at Mundar Sah Cold Storage Pvt. Ltd. at Mohalla Khajpura, P.O. Bihar Vetenary College, P.S. Shastri Nagar, Town and District Patna
14. Amit Prakash , son of Sri Ganga Prasad, c/o and residing at Mundar Sah Cold Storage Pvt. Ltd. at Mohalla Khajpur , P.O. Bihar Vetenary College, P.S. Shastri Nagar, Town and district Patna

..... Defendants / Respondents

15. Rahul Prasad, son of Sri Binay Kumar, 1st address- resident of D-4 / 4233 , Roof Top Floor, Vasant Kunj, New Delhi 110070 , 2nd address – R/o – 56 / 2nd Floor, King's Road Haora (M. Corp.) Howrah, West Bengal 711101

... .. Respondent/s



Appearance :

For the Appellant/s : Dr. Binay Kumar Singh, Adv.
Mr. Arvind Kumar, Adv.
Mr. Anil Kumar Sinha, Adv.
Mrs. Renu Jha Adv.
Mr. Pankaj Majumdar, Adv.
Mr. Praveen Prabhakar, Adv.
For the Respondent/s : Mr. M.N. Parbat, Sr. Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

18 22-06-2022 Heard Dr. Binay Kumar Singh, learned counsel for the sole appellant and Mr. Mahesh Narayan Parbat, learned senior counsel for the respondents.

Both the counsel jointly submit that with the intervention of friends, relatives and well wishers the parties have settled their dispute amicably and the terms of settlement / compromise have been arrived at which have been stated in the I.A. No. 6 of 2020.

The present Appeal has been filed against the judgment and preliminary decree dated 15 / 12 / 2015 passed in Title Partition Suit No. 177 of 2009 by learned Sub Judge- I, Danapur.

Learned respective counsel for the parties also submits that as per the compromise arrived at between the parties, they have been allotted their separate shares as described in the Schedule appended to the I.A. No. 6 of 2020.

Regard being had to the submissions made by both



the counsel and taking into consideration the terms of compromise, the I.A. No. 6 of 2020 is allowed.

Accordingly , let a decree in terms of the compromise as arrived at between the parties and described in I.A. No. 6 of 2020 be prepared. The I.A. No. 6 of 2020 having the terms of compromise shall be made part of the compromise decree.

Accordingly, the present F.A. No. 19 of 2016 is disposed of.

(Anil Kumar Sinha, J)

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