

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.512 of 2023**

Shailendra Kumar, Son of Bhupendra Narain Sinha, Resident of Madhuri Sadan, Jagdeo Path, Bailey Road P.S- Airport, P.O- Vetnary College, Patna.

... .. Petitioner

Versus

1. Bhupendra Narain Sinha, Son of Late Shiv Nandan Prasad Singh, Resident of Madhuri Sadan, Jagdeo Path, Bailey Road P.S-Airport, P.O- Vetnary College, Patna.
2. Sarita Kumara @ Saritanand Daughter of Bhupendra Narain Sinha, wife of Jayanand Resident of mohalla-Nageshwar Colony, Boring Road P.S- Budhha Colony, P.O- Kidwaipuri, District- Patna.
3. Sujata Kumari @ Sujata Prakash Daughter of Bhupendra Narain Sinha, wife of Sri Ram Prakash Resident of G-6, P C Colony, Kankarbagh, P.S- Kankarbagh, P.O-Lohiyanagar, District-Patna.
4. Kavita Kumari @ Kavita Thakur Daughter of Bhupendra Narain Sinha, wife of Anil Thakur At present residing at sri Radha Sky Garden, Tower No-18, flat No-801, greater noida Sector 16 B District- Gautam Budhha Nagar, U.P.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Binod Kumar Singh, Advocates Mr. Saket Kumar, Advocate Ms. Ankita Roy, Advocate Mr. Vagisha Pragya Vacaknavi, Advocate
For the Respondents	:	Mr. Satyendra Narayan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 13-10-2023 Heard learned counsel for the parties.

2. The petitioners are challenging the order dated 24.11.2022 passed by learned Sub Judge-I, Patna in Title Partition Suit No.143 of 2020, by which the joint compromise petition filed by the plaintiff and defendants has been rejected.

3. It has been submitted by the parties that the petitioners are non other than the own family members of the respondents and all the documents with regard to the properties



in question have been filed in the court below but the Court below has wrongly held that documents with regard to three properties were not filed in the Court below.

4. Learned counsel for the petitioners has drawn the attention of this Court to the annexures annexed with the petition to show that the rent receipts of three properties, which are under partition, were filed in the Court below and the same have been annexed in this Court also.

5. In view of the above, I am of the view that the impugned order rejecting the compromise petition cannot be sustained. Accordingly, the order dated 24.11.2022 passed by learned Sub Judge-I, Patna, in Title Partition Suit No.143 of 2020 is hereby quashed. The Court below is directed to accept the compromise petition of the parties and thereafter will proceed with the preparation of the decree in accordance with compromise petition between the parties.

6. Let a copy of this order be communicated to the District Judge, Patna forthwith through FAX or e-mail for its compliance.

(Sandeep Kumar, J)

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