

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22928 of 2012

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Kapil Deo Pandit S/O Late Ram Dayal Pandit R/O Village- Enaee, P.S.-
Rivelgang, Distt.- Saran

... .. Petitioner/s

Versus

Aklu Pandit S/O Late Ram Dayal Pandit R/O Village- Enaee, P.S.- Rivelgang,
Distt.- Saran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate
For the Respondent/s : Mr.Rakesh Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

21 28-03-2023 The original copy of Interlocutory Application No.01
of 2022 has been handed over to this Court, which is taken on
record.

The learned counsels for the parties submit that the
petitioner and the respondent have entered into a compromise
with regard to the subject matter of the present writ petition, in
terms of the understanding arrived at in between them, as has
been stated in the Interlocutory Application, filed jointly by the
parties in the present case, bearing Interlocutory Application
No.01 of 2022, paragraphs no.3 to 11 wthereof are reproduced
hereinbelow:-

*"3. That the land in question relates to
Khata No.280. Khesra No. 657, Acea-3 katha
situated in Village- Enai, P.S.- Rivilganj), District*



Saran.

4. That both the petitioner and the respondent are full brother and the land in question was purchased by the father Late Ram Dayal Pandit in the name of petitioner and respondent.

5. That subsequently the father of the petitioner and respondent Late Ram Dayal Pandit constructed a house on the said land and after the death of the father and mother the petitioner and the respondent partitioned the said house by half and the petitioner got his half share from the East and the respondent got half share in the West and they further partitioned it by erecting a brick wall in between and both parties started living in their share with their families.

6. That the parties have agreed to end their entire dispute and have agreed that half the share from the East would belong to the petitioner and the respondent share would be half from the West.

7. That it is further agreed that both the parties are free to deal with the share allocated as per the present compromise and are free to dispose of and none of the parties will have any objection in the share of either of them.

8. That a map of the land along with the house built on the land in question is being appended to this compromise petition would form part of the present compromise petition.

9. That this joint affidavit/ compromise



petition is being filed for disposal of this case on the basis of the compromises reached between the parties.

10. That this joint affidavit is being filed without any force coercion undue influence in a cordial manner to settle the dispute between the parties.

11. That it is also agreed that henceforth none of the parties would interfere in the share of either of the parties."

The learned counsel for the parties have submitted that the affidavit in support of the aforesaid Interlocutory Application No.01 of 2022, has been sworn both by the petitioner as also the respondent herein.

In view of the aforesaid, I deem it fit and proper to dispose off the present writ petition, in terms of the aforesaid understanding arrived at in between the parties, which shall form part of the present order.

(Mohit Kumar Shah, J)

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