

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.292 of 2005

1. Sundar Lal Singh Son of Late Raj Ballam Singh, Resident of Village-Musepur, Police Station-Bihta, Post Office-Musepur, District-Patna.
2. Prasant Kumar, Son of Sri Sundar Lal Singh, Resident of Village-Musepur, Police Station-Bihta, Post Office-Musepur, District-Patna.
3. Sushant Kumar Son of Sri Sundar Lal Singh, Resident of Village-Musepur, Police Station-Bihta, Post Office-Musepur, District-Patna.

... .. Appellant/s

Versus

1. Sri Mahanand Singh Son of Late Ram Swaroop Singh, Resident of Village-Musepur, Post Office-Musepur, Police Station-Bihta, District-Patna.
2. Shri Kishun Singh alias Shri Krishna Singh, Son of Late Ram Swaroop Singh, Resident of Village-Musepur, Post Office-Musepur, Police Station-Bihta, District-Patna.
3. Suraj Kumar, Son of Shri Mahanand Singh, Resident of Village-Musepur, Post Office-Musepur, Police Station-Bihta, District-Patna.
4. Shri Sanjay Kumar, Son of Late Mathura Sharan Singh, Resident of Village-Musepur, Post Office-Musepur, Police Station-Bihta, District-Patna.
5. Dilip Kumar, Son of Late Mathura Sharan Singh, Resident of Village-Musepur, Post Office-Musepur, Police Station-Bihta, District-Patna.
6. Daroga Kumar, Son of Late Mathura Sharan Singh, Resident of Village-Musepur, Post Office-Musepur, Police Station-Bihta, District-Patna.
7. Harendra Kumar, Son of Late Mathura Sharan Singh, Resident of Village-Musepur, Post Office-Musepur, Police Station-Bihta, District-Patna.
8. Mostt. Inglawati Devi, Widow of Late Mathura Sharan Singh, Resident of Village-Musepur, Post Office-Musepur, Police Station-Bihta, District-Patna.
- 9.1. Asha Devi Wife of Late Laljee Singh, Resident of Village-Janta Nagar, Barra-3, Near Nala, Kanpur, U.P.
- 9.2. Minni Devi, Daughter of Late Laljee Singh, Resident of Village-Janta Nagar, Barra-3, Near Nala, Kanpur, U.P.
- 9.3. Neelam Singh, Daughter of Late Laljee Singh, Resident of Village-Janta Nagar, Barra-3, Near Nala, Kanpur, U.P.
10. Vijay Kumar, Son of Shri Laljee Singh, Resident of Village and P.O.-Musepur, Police Station-Bihta, District-Patna.
11. Shambhu Deyal Singh, Son of Late Raj Ballam Singh, Resident of Village and P.O.-Musepur, Police Station-Bihta, District-Patna.
12. Pappu, Son of Shambhu Deyal Singh, Resident of Village and P.O.-Musepur, Police Station-Bihta, District-Patna.

... .. Respondent/s



Appearance :

For the Appellant/s : Mr. R. S. Dwivedi, Advocate.
For the Respondent/s : Mr. Sunil Srivastava, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

24 20-06-2024

Re :- Interlocutory Application No.02 of 2023

This Interlocutory Application No.02 of 2023 under Order XXIII Rule 3 of the Code of Civil Procedure has been filed on behalf of the parties stating that on the basis of arrangements made between the parties as stated in the application, this appeal may be disposed off.

2. The Office has reported that all appellants and respondents have appeared through *vakalatnama* and the compromise petition is in order.

3. Learned counsels for the parties submit that both the parties with the consent of each other without any coercion, duress and with free will of each party, they have compromised and distributed the land in the manner as detailed in the application itself.

4. Learned counsels for the parties jointly submit that in view of the compromise made between the parties, the compromise may be made part of the decree and the appeal be disposed off in terms of compromise between the parties. They further submit that affidavit alongwith I.D. proof have been filed



on behalf of the parties. Both the parties have signed on the compromise petition and accordingly have prayed to dispose off the present First Appeal.

5. Having heard learned counsel for the parties and considering the averments made in the application, the I.A. No.02 of 2023 is allowed.

Re :- First Appeal No.292 of 2005

6. In view of the compromise/ arrangement made between the parties, this appeal is **disposed off** in terms of the compromise entered into between the parties.

7. Let this compromise petition (I.A. No.02 of 2023) be made part of the decree.

8. Office is directed to draw the decree accordingly.

(Sunil Dutta Mishra, J)

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