

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.1 of 2015

1. Most. Manka Devi, wife of Late Binda Singh.
2. Shailendra Singh,
3. Arbind Singh,
4. Sunil Singh,
5. Vijay Kumar Singh, All sons of Late Binda Singh and all residents of Mohalla- Naga Road, Brahmsthan, , P.O. and P.S.- Raxaul, District- East Champaran.
6. Smt. Dharmshila Devi, wife of Kameshwar Singh, D/o- Late Binda Singh, resident of Mohalla- Lakshmipur Raxaul, P.O and P.S.- Raxaul, District- East Champaran.
7. Smt. Premshila Devi, wife of Sri Brajkishore Singh, D/o Late Binda Singh, resident of village and P.O.- Badaka Balua, P.S.- Pathahi, district- East Champaran.
8. Smt. Pushpa Devi @ Puspa Singh wife of Sri Shivshankar Singh, D/o- Late Binda Singh, resident of S.S. Continental, Tinsukia, P.S. and District- Tinsukia, Assam.
9. Smt. Indu Devi @ Indu Singh wife of Sri Nishant Kumar Singh, D/o- Late Binda Singh, resident of Mohalla- Jakiasthan, P.O, P.S. and District- Sitamarhi.
10. Smt. Seema Devi, wife of Abhimanyu Singh, D/o- Late Binda Singh, resident of Mohalla- Durgabari Road, P.O.- Gaya, Near F.C.I. Godown, P.S. and District- Gaya.

... .. Appellant/s

Versus

1. Most. Nirmala Kuwar @ Tetari Devi. wife of Late Bachcha Singh.
2. Abhay Singh @ Abhay Kumar Singh
3. Rajesh Kumar Singh, Both sons of Late Bachha Singh and all residents of Mohalla- Bank Road, Lohar Patti, Raxaul, P.O. and P.S.- Raxaul, District- East Champaran.
4. Smt. Sadhana Singh, wife of Sri Amrendra Kumar Singh @ Amrendra Singh D/o- Late Baccha Singh, resident of Mohalla- Bhawanipur Jirat, P.S.- Chatauni, P.O.- Motihari, District- East Champaran.
5. Smt. Usha devi, wife of Sri Nawal Singh @ Nawal Kishore Singh D/o Late Binda Singh, resident of village and P.O.- Khanpur Pakari, P.S.- Bidurpur, District- Vaishali at Hajipur.
6. Sanjiv Singh,
7. Raju Kumar Singh, Both sons of Late Binda Singh and all residents of Mohalla- Naga Road Brahm Asthan, Raxaul, P.O. and P.S. Raxaul, District- East Champaran.
8. Smt. Pramila Devi, wife of Sri Jitendra Pratap Singh, D/o- Late Binda Singh, resident of Mohalla- Bhawanipur Jirat, P.S.- Chatauni, P.O.-



Motihari, District- East Champaran.

9. Smt. Savita Devi, wife of Sri Hemant Singh @ Hemand Kumar, D/o- Late Binda Singh, resident of Mohalla- Jai Prakash Colony, P.O.- Muzaffarpur, P.s.- Muzaffarpur Town, District- Muzaffarpur.
.... Defendant 3rd set/respondent 3rd set
10. Sanjay Singh,
11. Manoj Singh, Both sons of Late Shatrughan Singh, resident of Mohalla- Bank Road, Lohar Patti, Raxaul, P.O. and P.S.- Raxaul, District- East Champaran.
12. Smt. Sangita Devi, wife of Sri Anil Singh, D/o- Late Shatrughan Singh, resident of Mohalla- Guljarbagh, Patna City, P.O.- Patna, District- Patna.
13. Smt. Chanda Devi, wife of Sri Sanjay Singh, D/o- Late Shatrughan Singh, resident of Mohalla- Bank Road, Lohar Patti, Raxaul, P.O. and P.S.- Raxaul, District- East Champaran.
14. Smt. Babita Devi, wife of Sri Rajesh Kumar Singh, D/o- Late Shatrughan Singh, resident of Mohalla- Pani Tola Tinsukia, Assam, P.S.- Tinsukia, District- Tinkusia, Assam.
- 15.(a) Ashutosh Singh @ Sri Sanjay Singh
- 15 (b). Shruti Solanki minor D/o Ashutosh Singh @ Sri Sanjay Singh
- 15 (c) Stuti Solanki minor d/o Ashutosh Singh @ Sri Sanjay Singh
- 15 (d) Yash Solanki minor S/o Ashutosh Singh @ Sri Sanjay Singh
All R/o Mohalla Lohar Patti Road, Raxaul, P.O. & P.S. Raxaul, District East Champaran.
- 16 Prema Kumari D/o Late Shatrughan Singh R/o Mohalla Bank Road Lohar Patti Raxaul, P.O. & P.S. Raxaul, Dist. East Champaran

Defendant 4th Set/Respondent 4th set

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ranjan Kumar Dubey, Adv.
For the Respondent/s : Mr. Nawnit Kumar Tiwary,
Mr. Dhanjanjay Mishra,
Mr. Apurwa Kumar
Mr. Santosh Bharti, Advocates

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

13 16-01-2024

Interlocutory Application No. 03 of 2021

Heard learned counsel for the appellants and the



learned counsel for the respondents on the Interlocutory Application No. 03 of 2021.

2. This Interlocutory Application has been filed by the parties jointly under Order XXIII, Rule 3 of the Code of Civil Procedure, praying therein to accept the compromise petition and dispose of this First Appeal in terms of the compromise arrived at between the parties.

3. The instant appeal has been filed by the defendants-appellants against the judgment and decree dated 21-10-2014, passed by the learned Subordinate Judge-5, Motihari, East Champaran, in Title Suit No. 94 of 2010/26 of 2010. The learned counsel for the parties submitted that this First Appeal arises out of Partition Suit and now through the intervention of the well-wishers, common friends and relations of the parties, the parties have compromised and resolved their dispute amicably on the terms given in the schedules attached to the I.A. No. 03 of 2021, which is part of the compromise application bearing I.A. No. 03 of 2021.

4. Perused the compromise application.

5. It appears that all the parties have signed in the compromise application and affidavits in support of the compromise. However, respondent no. 16(a), who is the father



legal guardian of his minor daughters and son respondent no. 16(b), 16(c) and 16(d) respectively has also signed on behalf of his minor children. The terms of the compromise has also been stated in the petition. The map and schedule of the properties are part of the compromise petition. There is no impediment in recording of the compromise between the parties also.

6. I am satisfied that the compromise is for the benefit of the minors and, accordingly, I accord the necessary sanction to the guardian of minors concerned to enter into the compromise. Let the appeal be disposed of in terms of the compromise petition i. e. I. A. No. 3 of 2021, which will form part of the decree.

7. Accordingly, the First Appeal is disposed of in terms of the compromise petition.

(Khatim Reza, J)

shyambihari/-

U			
---	--	--	--

