

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.233 of 1983

=====

Sachinath Jha Son of Shri Sitanath Jha, Resident of Village Behat, P.s.
Madhepur, District Madhubani.

... .. Appellant/s

Versus

- 1.1. Bharat Bhushan Son of Late Radha Kant Mishra Resident of Jhanjharpur,
Police Station - Madhepur, District- Madhubani.
- 3.1. Smt. Abha Jha Wife of Shri Madhav Jha, Resident of Village Lohana, P.S.
Jhanjharpur, District - Madhubani.
- 3.2. Smt. Bina Jha Wife of Sibeshwar Jha, Resident of Village Ujan P.S.
Manigachhi, Dist. Darbhanga.
- 3.3. Smt. Rekha Thakur, Wife of Sri Haranath Thakur, Resident of Sarbseema,
P.S. Jhanjharpur, District - Madhubani.
- 3.4. Sunil Singh Thakur Son of Chandranand Singh Thakur Resident of M.A. 7,
1. Niva Park, Phase 3, P.O. - Brahmpur, Kolkata, South 24 Parganas, West
Bengal.
- 3.5. Smt. Biva Mishra Wife of Vijay Kumar Mishra, Resident of Mohalla -
Lalbagh, P.S. Sadar, Darbhanga, District - Darbhanga.
4. Shri Uma Nath Jha Son of Shri Satendra Jha, Under the Guardianship of
Mother, Resident of Village Behat, P.S. Madhepura, District Madhubani.

... .. Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr. Manoj Kumar Jha, Advocate Mr. Kumar Chandra Shekhar, Advocate
For the Resp. No.1	:	Mr. Kameshwar Prasad Gupta, Advocate
For the Resp. Nos. 3&4	:	Mr. Birendra Kant Chaudhary, Advocate
For the Resp. Nos. 3&4	:	Mr. Shashi Dhar Jha, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

32 19-09-2025

I.A. No. 09 of 2025

It has been submitted that in compliance of the order dated 08.04.2025 passed by this Court, Fresh Joint Compromise duly attested with signature, thumb impression and photographs of the respected parties of this appeal, is being filed for consideration and for passing compromise decree agreed by the parties as mentioned in the compromise petition.



2. It has been submitted that during the pendency of this appeal, since 40 years, the sole appellant being an old man is now suffering with paralysis and the original contesting respondent nos. 1 and 2 also died leaving behind their only son, namely, Bharat Bhushan and other respondents. All have consented and have signed the fresh compromise petition. The description of the land in dispute of the instant first appeal are mentioned hereunder:-

Thana No. 238

Khata No. 403K(old)

Khesra No. 1122

Area- 2 *Bigha* 6 *Dhur*

Which is situated near Gram Panchayat Behat (North)/Nagar Parishad, Jhanjharpur, Ward No. 19 Dist-Madhubani.

3. It has been agreed by both the parties that out of total 2 *bigha* and 6 *dhur* land, the appellant will get 17 *katha* 3 *dhur* from the North and the respondent Bharat Bhushan will get 23 *Katha* 3 *dhur* from the South and the appellant also agreed to provide 12 feet wide and 134 feet long approach road from his own land apart from the land of this appellant starting from main road up to the land provided to the respondent Bharat Bhushan and after 134 feet long approach road, 12 feet wide and



260 feet long road shall also be provided by both the parties jointly half and half *i.e.*, six feet wide land shall be given by the appellant and six feet land shall be given by the contesting respondent Bharat Bhushan from their respective own land as agreed by both parties for their ingress and egress for their own private use which shall never be obstructed by the side of the appellant or the respondents or their respective successor even in future and upon the said approach road, the appellant and his successor and the respondent Bharat Bhushan and his legal heirs/successors shall have equal right for ingress and egress.

4. It is also agreed by the appellant and the contesting respondent that both party will fully abide by the compromise decree passed on the basis of fresh compromise petition (Annexure-1).

5. Considering the above facts and circumstances of this case, this appeal is allowed in view of the ***I.A. No. 09 of 2025*** which is compromise petition filed by the parties which has been duly signed by all the appellant and respondents.

6. The compromise shall be the part of decree.

7. In result, this appeal *i.e.*, **F.A. No. 233 of 1983** stands allowed in terms of the compromise.

8. Office is directed to draw a decree and to remit the



record back to the learned trial court.

(Ashok Kumar Pandey, J)

Shubham/-

U			
---	--	--	--

