

Allahabad High Court

Smt. Indra Devi Alias Inder Devi ... vs Bal Govind Gupta Son Of Bhunai Ram on 4 December, 2006

Author: S Mehrotra

Bench: S Mehrotra

JUDGMENT S.P. Mehrotra, J.

1. Case called out in the revised list.

2. S/Sri N.D. Keshri and P.K. Keshri , learned Counsel for the plaintiffs-appellants Nos. 1 to 4 and Sri Surendra Bahadur Singh, learned Counsel for the defendants-respondents Nos. 1/1 to 1/7, are present.

3. Civil Misc. Compromise Application No. 230812 of 2006 has been filed in the Second Appeal, inter-alia, praying that the Compromise arrived at between the parties be accepted, and the Second Appeal be decided in terms of the Compromise.

4. The aforesaid Compromise Application is supported by a Joint Affidavit, sworn on 9th October, 2006 by Smt. Indra Devi alias Inder Devi (plaintiff-appellant No. 1) and Smt. Kamla Devi Gupta (defendant-respondent No. 1/1).

5. Terms of the Compromise are contained in the aforesaid Compromise Application and its accompanying Affidavit.

6. By the order dated 6-11-2006 passed by the Court, the parties were directed to appear before the Registrar General or any Registrar nominated by him for verification of the Compromise in accordance with the rules.

7. The said order dated 6-11-2006 is reproduced below:

This is an application to decide the matter in terms of the compromise arrived at between the parties.

Let the parties appear before the Registrar General or any Registrar nominated by him on 9-11-2006. The compromise may be verified in accordance with the rules and thereafter the matter shall be listed in Court on 14-11-2006. Copy of the order shall be given to learned Counsel for applicant.

8. It further appears that pursuant to the said order dated 6-11-2006, the parties appeared before the Registrar General. The Registrar General, by his order dated 10-11-2006, verified the Compromise.

9. The said order dated 10-11-2006 passed by the Registrar General is reproduced below:

The contents of the Petition of Compromise were read over and explained to Smt. Indra Devi, S/Sri Sri Govind, Laxmi Narain and Km. Rama Devi, appellants identified by Sri P.K. Keshri, Advocate and to Smt. Kamla Devi Gupta, Anoop Kumar Gupta, Rajeev Kumar Gupta, Sanjeev Kumar Gupta, Amar Kumar and Km. Kavita, Respondent Nos. 1/1 to 1/6 identified by Sri S. B. Singh, Advocate, who are present today on 9-11-2006.

Respondent No. 1/7 Smt. Sangita Gupta is present today on 10-11-2006 and she has been identified by Sri S.B, Singh, Advocate. The Petition of Compromise has also been read over and explained to her.

They say that the compromise truly and correctly represents the terms of compromise duly arrived at between the parties.

Lay before Court.

10. It is thus evident that the Compromise arrived at between the parties as contained in the aforesaid Compromise Application and its accompanying Affidavit, has been duly verified before the Registrar General.

11. Accordingly, the Second Appeal is decided in terms of the Compromise, as contained in the aforesaid Compromise Application and its accompanying Affidavit. The aforesaid Compromise Application and its accompanying Affidavit containing the terms of the Compromise will form part of the Decree.

12. The aforesaid Compromise Application is, accordingly, disposed of.