

Supreme Court of India

Durga Prasad (Dead) By Lrs vs Smt. Gita Kumari & Ors on 23 November, 1995

Equivalent citations: JT 1995 (8), 493 1995 SCALE (6)695

Author: K Ramaswamy

Bench: Ramaswamy, K.

PETITIONER:

DURGA PRASAD (DEAD) BY LRS.

Vs.

RESPONDENT:

SMT. GITA KUMARI & ORS.

DATE OF JUDGMENT 23/11/1995

BENCH:

RAMASWAMY, K.

BENCH:

RAMASWAMY, K.

HANSARIA B.L. (J)

CITATION:

JT 1995 (8) 493 1995 SCALE (6)695

ACT:

HEADNOTE:

JUDGMENT:

**O R D E R** It was stated in the memorandum of compromise filed in this Court, that the first respondent had willingly agreed to transfer her right, title and willingly agreed to transfer her right, title and interest in the land, as found by the High Court of Patna in Second Appeal No.602/74, in order dated August 29, 1978, for a valuable consideration of Rs.29,000/- payable in lump sum as agreed between the parties. A copy of the receipt dated 30.3.1980 has already been placed on record signed by the husband of the first respondent that the said amount was already received by her. He stated therein that in his presence the amount was passed on to his wife. Under these circumstances, since the matter has been settled out of the Court, it is not necessary to go into the controversy. The appeal is accordingly disposed of in terms of the above compromise. No costs.

The Registry is directed to communicate this order to the respondents as they are not appearing in person or through counsel.