

F.A. No.707 of 2009

Smt. Nimmo Bai and ors.

Deepak Asrani and ors.

30.09.2011

Appellants No.2 Jeewan Lal Pasi, No.3 Gopal, No.4 Moolchand, No.5 Suresh Pasi and No.6 Raja Pasi are present. Their Counsel Shri Rajesh Upadhyaya is also present.

The parties present are identified by Shri Upadhyaya.

Respondent No.1 Deepak Asrani is present with his Counsel Shri S.K. Karan.

Respondent No.2 is absent.

Respondent No.3 State by Shri Vivek Agrawal, G.A.

It is submitted by the parties that the matter has been settled between the parties and they have filed joint compromise petition I.A.8378/11 duly signed by all the parties including thumb impression of appellant No.1 Smt. Nimmo Bai.

Learned counsel for the appellants submitted that he has also subscribed his signatures on the compromise petition.

Learned counsel for the respondent submitted that respondent Deepak Asrani has signed the compromise petition and he has also signed the compromise petition. Alongwith the compromise petition, a map of the property showing the boundaries of the land as per the compromise petition and an affidavit of Jeevan Lal Pasi are also filed.

We have enquired from the parties present before this Court. They have stated that the matter has been settled between the parties. They have entered into a compromise and the compromise petition has been filed with the signatures of all the parties. It is also stated by them that they have entered into a compromise by their own free will, without any influence or temptation. They have also been explained the terms of the compromise which they have accepted.

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In view of the aforesaid, we record a compromise and decide this appeal in terms of the compromise petition I.A.8378/11. A decree be drawn accordingly. The compromise petition along with the map shall be a part of the compromise decree.

This compromise petition shall not bind the respondent No.2 Smt. Saroj Nema who is not the signatory of the compromise petition. It is stated by the parties that they have settled the matter with her. However, no order is passed against the respondent No.2 in this regard. State is also a proforma party and no decree is passed against the State of Madhya Pradesh.

With the aforesaid directions this appeal is finally disposed of with no order as to costs.

(Krishn Kumar Lahoti)

JUDGE

vj

(Smt. Vimla Jain)

JUDGE