

Dhirendra Kumar Vs. Krishna Kumar

Dhirendra Kumar Vs. Krishna Kumar

SooperKanoon Citation : sooperkanoon.com/1042403

Court : Madhya Pradesh

Decided On : May-01-2013

Appellant : Dhirendra Kumar

Respondent : Krishna Kumar

Advocate for Def. : Shri. K.B.Bhatnagar

Advocate for Pet/Ap. : Shri. R.K.Jaiswal

Judgement :

1 S.A.No.914/1996 Dheerendra Kumar Choudhary.

versus Krishna Kumar Choudhary 01.05.2013 Shri R.K.Jaiswal learned counsel for the appellant.

Shri K.B.Bhatnagar learned counsel for the respondent.

The appellant and the respondent are present in person.

The learned counsel for the parties submit that as I.A No.5450/2013 filed by them for compromise was incomplete, they have filed I.A No.5475/2013 under Order 23 Rule 3 CPC, today specifically enumerating the terms of the compromise arrived at between the parties.

The appellant and the respondent have signed the said application.

They submit and pray that, they having amicably settled the matter, therefore, the impugned judgment and decree passed by the courts below be modified in terms of the compromise arrived at between the parties in the following terms:- 1.

The parties agree that the Will (Ex.D-1) shall be held as valid will and the appellant/defendant shall be the owner of the properties mentioned in the said will.

2. Respondent/plaintiff agrees to waive all his claims in respect of the right of the appellant/defendant on the properties mentioned in the said will as also in regard to all the transactions made by the 2 S.A.No.914/1996 Dheerendra Kumar Choudhary.

versus Krishna Kumar Choudhary appellant/defendant in respect thereto during the pendency of the proceeding in the suit and appeal.

3. Both parties agree to bear their respective costs and also agree to treat their dispute in respect of the property involved in the Will as fully and finally settled in terms of the above agreement.

In view of the fact that the appellant and the respondent are present and state that they have entered into a compromise and request that a decree, in terms of the aforesaid agreement/compromise, be passed by this Court, therefore, I.A No.5475/2013 for recording a compromise is allowed and the decree of the courts below is modified in terms of the compromise as stated above arrived at between the parties.

A decree in terms of the compromise be drawn up accordingly.

The appeal is disposed of in terms thereof.

C.C as per rules.

(R.S.JHA) JUDGE mms/-

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com