

**In the Court of Saurabh Gupta, Addl. Civil Judge (Senior Division),
Tosham.
(UID No.HR0284)**

Civil Suit No.02-Dec. of 2018.

CIS No.CS/02/2018.

Date of Institution: 3.1.2018.

Date of Decision : 10.2.2018.

1- Smt. Krishna Devi wife of Sh. Om Parkash, aged 75 years,
2- Anil Kumar son of Sh. Om Parkash, aged 55 years,
3- Ashk Kumar son of Sh. Om Parkash son of Gurdayal, aged 40 years, all
residents of Tosham, tehsil Tosham, district Bhiwani (Anil Kumar himself
and as GPA of plaintiffs no.1 and 3).

.... Plaintiff.

VERSUS

1- Gyani Ram son of Molar Ram son of Khubi, resident of village
Sagwan, tehsil Tosham, district Bhiwani, 2- Jai Bhagwan son of Satbir
son of Jogi Ram, 3- Dhanpat, 4- Ramesh sons of Jogi Ram son of Molar
Ram, 5- Kuldeep, 6- Ankit minor sons of Dharambir son of Jogi Ram,
through their natural guardian and mother Sumitra herself, 7- Girdhari, 8-
Pritam, 9- Kuldeep sons of Waris Parshad son of Molar Ram, all residents
of village Sagwan, tehsil Tosham, district Bhiwani.

...Defendants.

SUIT FOR DECLARATION:

Present: Sh. SL Makkar, Advocate for the plaintiff.
Sh.Gulshan Kathpalia, Advocate for defendants.

JUDGMENT:

By filing the present suit, the plaintiffs have claimed
themselves to have become owners in possession of the land measuring

(Saurabh Gupta)
Addl. Civil Judge (Sr. Division),
Tosham/10.2.2018.
(UID No.HR0284)

93 kanals 0 marla on the basis of an agreement dated 21.7.2017 by virtue of which the defendants voluntarily relinquished their tenancy rights and from the date of agreement the plaintiffs are in actual physical possession of the land in dispute and the defendants have no right, title or interest in the suit property and the entries in the column of cultivation in the name of defendants are incorrect, against law and liable to be rectified.

2- Upon the suit being filed, notice was given to the defendants. Defendants appeared and stated regarding compromise in the matter. Compromise Ex.C-1 has been also placed on the file. Statement of the parties also recorded separately duly identified by their counsels.

3- The file was taken up in the National Lok Adalat. Parties to the suit are not at issue. In view of the compromise Ex.C-1, an award is hereby passed in favour of the plaintiff and he is declared to be in possession of the suit land, as fully detailed and described in the head note of the plaint by virtue of compromise Ex.C-1. The parties shall remain bound by their statements. Ex.C-1 is made part and parcel of the award. As per certificate of counsel for defendant no.6 minor and affidavit of her mother Sumitra, the compromise is in the interest of minor Ankit. Since minor cannot cultivate the land on his own and considering the fact that he is not even a recorded owner, compromise in the opinion of the court also is in interests of the minor. However, it is ordered that proportionate amount of minor be kept deposited in his bank in form of a

saving or a fixed deposit and be made available to him upon attaining age of majority. The parties are, however, left to bear their own costs. Revenue record be rectified accordingly. File be consigned to the record room, after due compliance.

Pronounced in National Lok Adalat:
Dated: 10.2.2018
Manoj Kumar

(Saurabh Gupta)
National Lok Adalat Judge,
Tosham (**UID No.HR0284**)

(V.S.Dhangar)
Member.

NOTE: Each page of this award have been checked
and signed by me.

(Saurabh Gupta)
National Lok Adalat, Judge
Tosham.10.2.2018

Present: Sh. SL Makkar, Advocate for the plaintiff.
Sh.Gulshan Kathpalia, Advocate for defendants.

Power of attorney on behalf of the defendants filed.
Statement of the parties recorded. Heard. Vide separate award of even
date, the suit stands disposed of. File be consigned to the record room
after due compliance.

Pronounced in National Lok Adalat:
Dated: 10.2.2018
Manoj Kumar

(Saurabh Gupta)
National Lok Adalat, Judge
Tosham.(UID No.HR0284)

(V.S.Dhangar)
Member