

(2011) 05 SHI CK 0088

In the High Court Of Himachal Pradesh

Case No : Regular Second Appeal No. 604 of 2008 and COPC 38 of 2010

Govind Ram and Others

APPELLANT

Vs

Mohan Lal and Others
 Mohan Lal and Others Vs
Govind Ram and Others

RESPONDENT

Date of Decision : 06-05-2011

Acts Referred:

Civil Procedure Code, 1908 (CPC) — Order 23 Rule 3, 151

Citation : (2011) 05 SHI CK 0088

Hon'ble Judges : Rajiv Sharma, J

Bench : Single Bench

Judgement

Rajiv Sharma, J.

CMP No. of 2011.

1. The parties have filed an application under Order 23 Rule 3 read with Section 151 of the Code of Civil Procedure, whereby the matter has been compromised between the parties. The same is permitted to be taken on record. The Registry is directed to assign number to the application. It stands disposed of.

RSA No. 604 of 2008

2. Consequently, with the consent of the parties, the judgment and decree passed by the District Judge, Mandi in Civil Appeal No. 10 of 2007, dated 18th October, 2008 shall be substituted in the following manner:

a) That the Plaintiffs Mohan Lal and Chint Ram alongwith others are also the poojaries of Godess "Mata Chaturbhuja" and that Godess "Mata Chaturbhuja" shall keep on visiting both Villages i.e. Tarour and Movei Seri in the manner it was being followed earlier, as the main abode of Mata is at Tarour. Neither of the parties shall claim exclusive right to keep the Mata/Godess at one particular village.

b) Inhabitants of village Movei Seri and Tarour and all other worshipers of

Goddess "Mata Chaturbhuja" shall have right to worship the Goddess without any interference of any kind from either of the parties.

2. The terms and conditions incorporated herein above shall form an integral part of the judgment and decree passed by this Court. Accordingly, the Regular Second Appeal stands disposed of, so also the pending application(s), if any. No costs.

COPC No. 38 of 2010.

In view of the order passed in the judgment rendered in RSA No. 604 of 2008, the present petition is rendered infructuous. The notices issued to the Respondents are discharged.