

Assam Schedule VII, Form No. 143  
High Court Form No. (J) 13

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Form of Order sheet.

DISTRICT : SONITPUR

COURT OF **DISTRICT JUDGE, SONITPUR AT TEZPUR**

**Misc.(LA) Case No. 01 of 2021**  
**Sri Pulakesh Baruah Vs. Sri Nilakesh Baruah**

Sl. No. of Order	Date	<u>order</u>	Signature
	<b><u>10-11-22</u></b>	<p>Learned counsel for both sides are present and filed petition No. 2902/22 stating inter-alia that they have amicably resolved their differences and prepared a memorandum of understanding (family settlement) specifying the shares each one will get. A copy of the said family settlement has also been annexed along with the petition.</p> <p>The terms and conditions of the family settlement are enumerated as follows :</p> <p>1. That parcel of land facing East to West measuring 84.8 feet long and North to South measuring 56 feet width covered by PP No. 133 (old) 30 (New) of Dag No. 559 (very old) 606 (old) 619(new) belonged to Harendra Chandra Baruah of Bhairabpad Mouza, Tezpur Circle of village Dekargaon will be shared equally by Sri Pulakesh Baruah and Sri Nilakesh Baruah and accordingly on the eastern side a parcel of land from East to West measuring 42.4 feet width and 56 feet length from North to South will fall in the share of Nilakesh Baruah and on the western side a parcel of land measuring 42.8 feet width East West and 56 feet length North South fall in the share of Pulakesh Baruah.</p>	

The share of Pulakesh Baruah is bounded by  
North – Fatik Medhi,  
South – Road,  
East – Nilakesh Baruah and  
West – Dharani Baruah.

**AND**

The land of Nilakesh Baruah is bounded by  
North – Fatik Medhi,  
South – Road,  
East – Late Basanta Baruah and  
West – Pulakesh Baruah.

2. A portion of the Assam type house constructed by Harendra Chandra Baruah consisting of 5 rooms with two attached bath room and two latrine fall in the share of Nilakesh Baruah (2<sup>nd</sup> party) and he will be absolute owner of this part. Likewise, one room of the Assam Type house fall in the share of land of Pulakesh baruah and another room with attached bath room and latrine constructed by Pulakesh Baruah himself fall in his share and Pulakesh Baruah will be absolute owner of that party.

3. Both Nilakesh Baruah and Pulakesh Baruah will be at liberty to construct boundary wall in the boundary of their respective shares The Western side wall of Nilakesh Baruah starts from the land fall in the share of Pulakesh Baruah, East West measuring 42.4 feet and from there they can construct their boundary wall.

4. Both Nilakesh Baruah and Pulakesh Baruah will be at liberty to construct their gate of their respective house on the land fall on their respective shares. It is to be noted that the existing gate constructed by late Harendra Chandra Baruah fall in the share of land of Nilakesh Baruah.

		<p>5. The septic tank exists on the land fall in the share of Nilakesh Baruah can be used by him and pucca well fall in the share of Pulakesh Baruah can be used by him. Nilakesh Baruah will make his own arrangement for water in the share of his land and Pulakesh Baruah will construct septic tank in the share of his land. Both Nilakesh Baruah and Pulakesh Baruah will make arrangement in such a way that rain water cannot fall/enter in the land of each other.</p> <p>6. The Room No. 124 exists in the Chalk Bazar constructed by Harendra Chandra Baruah will be shared equally by Pulakesh Baruah and Nilakesh Baruah.</p> <p>7. Both Pulakesh Baruah and Nilakesh Baruah has to take equal responsibility of their mother Smti Sarala Baruah and in the event either Pulakesh Baruah or Nilakesh Baruah failed to take responsibility of Sarala Baruah then Sarala Baruah will take the income of the shop.</p> <p>8. The garage constructed by Harendra Chandra Baruah can be used exclusively by Nilakesh Baruah and Pulakesh Baruah shall not raise any objection to this arrangement.</p> <p>The above terms and conditions having been read and understood, both sides put their signatures in presence of witnesses on this 1<sup>st</sup> day of November, 2022.</p> <p>The unregistered family settlement Deed will be treated as part of this order.</p> <p>In view of the amicable family settlement between the parties, the Misc. (L/A) Case No. 01 of 2021 is finally disposed off on compromise.</p>	<p>District Judge, Sonitpur:Tezpur</p>
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