

CM(M) 20/2026 CM(186/2026)

...Petitioner(s)/Appellant(s).

Vs.

...Respondent(s).

ORDER
20.05.2026

- CM(M) 20/2026

“Where it is proved to the satisfaction of the Court that a suit has been adjusted wholly or in part by any lawful agreement or compromise, in writing and signed by the parties, or where the defendant satisfies the plaintiff in respect of the whole or any part of the subject matter of the suit, the Court shall order such agreement, compromise or satisfaction to be recorded, and shall pass a decree in accordance therewith so far as it relates to the parties to the suit, whether or not the subject matter of the agreement, compromise or satisfaction is the same as the subject matter of the suit.”

5. Learned counsel appearing for the respondents also fairly submits that the parties had amicably resolved their dispute by way of compromise deed and that she is not averse to setting aside of the aforesaid observations made by the learned trial Court, as the same are not in consonance with the mandate of law.
6. Heard learned counsel for the parties and perused the record.
7. A perusal of the impugned order reveals that the learned trial Court has already taken on record the compromise entered into between the parties and has also recorded their statements with respect thereto. Once the compromise had been accepted and found to be lawful, the learned trial Court was required to proceed in accordance with the mandate contained in Order XXIII Rule 3 CPC and pass an appropriate decree in terms of the compromise arrived at between the parties.
8. In view of the aforesaid, the impugned order dated 29.12.2025, to the extent it records that the suit stands dismissed in view of the compromise, is not sustainable in the eyes of law and deserves to be set aside.
9. Accordingly, the present petition is allowed. The impugned order dated 29.12.2025 passed by the learned Sub Judge/Civil Judge (Sr. Division), Pulwama is quashed and set aside. The matter is remanded back to the learned

trial Court for passing appropriate orders/decrees on the basis of the compromise already entered into between the parties, strictly in accordance with law and in light of the mandate of Order XXIII Rule 3 CPC.

10. **Disposed of** along with connected application(s), if any.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:
20-05-2026
Mubashir

