

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CR 4576 of 2015

Date of Decision: July 23, 2015

Santosh Kumari

.....Petitioner

Vs.

Inmo @ Inshu and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.S.S. Walia, Advocate
for the petitioner.

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M.M.S. BEDI, J. (ORAL)

An application for clarification of the judgment and decree passed on the basis of compromise annexure P-5 is sought to be reviewed, as the controversy has arisen pertaining to the terms of the compromise.

As per the compromise, the plaintiff- petitioner was to get 2/3rd of the property left by Adu Ram in Village Himaun Khera and Ali Pur Titu Khera whereas the defendant – respondents were to get 1/3rd share in house in New Mandi, Sirsa, besides other terms pertaining to the amount lying in the bank. The plaintiff- petitioner claims that she would inherit 66 kanals 12 marlas of land as 1/3rd share of Adu Ram, deceased instead of 56 kanals 12

marlas which has been transferred in the name of plaintiff- petitioner in the revenue record.

I have heard learned counsel for the petitioner and I am of the opinion that the perusal of the contents of the plaint is necessary to be perused as any compromise could have been arrived at in context to the subject matter of the suit and any clarification could have also been rendered in context to the suit property.

Counsel for the petitioner, at this stage, has submitted that the matter of the suit was different from the subject matter of the compromise arrived at between the parties.

In view of said circumstances, this Court is of the opinion that for enforcement of legal rights of the petitioner on the basis of compromise she has got independent alternative remedy. No ground is made out for interference in the impugned order.

Disposed of with the above said liberty to the plaintiff-petitioner.

July 23, 2015
sanjay

(M.M.S.BEDI)
JUDGE