

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

Regular Second Appeal No.3135 of 1985 (O&M)

Date of Decision: January 07, 2015.

Kartar Kaur (Dead) through her LRs and others

.....APPELLANT(s).

VERSUS

Rameshwar Singh

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sandeep Khunger, Advocate
for the appellant No.1.

Mr. Amit Jain, Advocate
for appellants No.2 to 5.

Mr. Sunil Chadha, Senior Advocate with
Mr. Manish Bansal, Advocate
for the respondent.

SURINDER GUPTA, J.

After long deliberations, the parties with assistance of their counsel, have ultimately reached amicable settlement and under the settlement, the compromise incorporated in the order dated 09.01.2014 is accepted with some modifications/additions which are as follows:-

- (i) Term No.5 of the settlement as incorporated at page No.4 of the order is modified to the extent that respondent-plaintiff will not pay amount of ₹5,00,000 to appellants No.2 to 5, instead legal representatives of Kartar Kaur, appellant No.1 will pay a sum of ₹1,50,000 to appellants No.2 to 5 out of the amount of ₹25,00,000 to be received by them from respondent-

plaintiff.

(ii) The dispute of passage has also been resolved and parties have agreed that the passage as carved out under the order of Director, Consolidation of Holdings, Punjab dated 04.02.1986 in case No.14/85/DCH will remain intact at the spot.

(iii) It is further agreed that amount of ₹25,00,000 shall be paid by the respondent-plaintiff to appellant No.1 on or before 31st of May, 2015. In the event of non-payment, the appeal shall stand accepted and suit filed by the respondent-plaintiff shall stand dismissed.

(iv) The respondent-plaintiff may get the sale deed executed on or before 31st of May, 2015 and pay the amount of ₹25,00,000 before the Sub Registrar or at the time of execution of the sale deed; or he may make the payment on or before 31st of May, 2015 in Court and get the sale deed executed and registered later on.

(v) On receipt of ₹25,00,000, appellant No.1 will make the payment of ₹1,50,000 to appellants No.2 to 5 within a period of seven days, failing which they will be at liberty to recover this amount through execution of this order.

(vi) The land which the appellants No.2 to 5 have given to Kartar Kaur will also be transferred to respondent-plaintiff in the sale deed as that land was given in lieu of passage carved out of the land in dispute.

The appeal stands disposed of accordingly.

January 07, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE