

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

RSA No. 3126 of 2014 (O&M)

Date of decision : 10.7.2015

Bakhshish Singh and others .. Appellants
versus
Kulwant Singh and another .. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. R. S. Chauhan, Advocate, for the appellants.
Mr. Umesh Kumar Kanwar, Advocate, for respondent no.1.

Rajesh Bindal, J.

The appellants are before this Court against concurrent findings of fact recorded by the learned Courts below, whereby the suit filed by the plaintiff- respondent no. 1 for possession by way of specific performance of agreement to sell dated 21.5.1988 was decreed. The appeal against the judgment of the trial court was dismissed by the learned Lower Appellate Court.

Learned counsel for the appellants submitted that respondent no. 1 is the only contesting respondent. He further submitted that the dispute between the parties has been settled vide compromise-deed (Annexure A-1). Bakhshish Singh, Baldev Singh, Chinder Kaur @ Jaswinder Kaur and Swaran Kaur, are present in Court. They have got their joint statement recorded with regard to the compromise arrived at with respondent no. 1. Learned counsel for the appellants further submitted that the appellants are not claiming any relief against respondent no. 2, Manmohan Singh.

Learned counsel appearing for respondent no. 1 submitted that the dispute between the parties has been compromised. He has also got his statement recorded admitting the factum of compromise with the appellants.

Heard learned counsel for the parties and perused the paper book.

It has been stated by learned counsel for the parties that the dispute between the appellants and respondent no. 1 has been compromised

vide compromise-deed (Annexure A-1). The appellants, who are present in Court in person, have got their joint statement recorded with regard to the compromise arrived at with respondent no.1- Kulwant Singh. Joint statement of the appellants, is extracted below:-

“We have compromised the matter with respondent No. 1. We are not claiming any relief against respondent No. 2. Copy of the compromise deed dated nil has been produced on record as Annexure A-1, alongwith CM No. 4794-C of 2015, which may be read as part of our statements. The present appeal may be disposed of in terms of the compromise.”

Learned counsel for the respondent no. 1 submitted that the dispute between the appellants and respondent no. 1 has been compromised. Respondent no. 1 is present in person in Court. He has made statement admitting the factum of compromise (Annexure A-1) with the appellants. Statement made by respondent no. 1, is extracted below:-

“I have compromised the matter with the appellants. Copy of the compromise deed dated nil has been produced on record as Annexure A-1, alongwith CM No. 4794-C of 2015, which may be read as part of my statement. The present appeal may be disposed of in terms of the compromise.”

The parties have been identified by their respective counsels. The appellants are not claiming any relief against respondent no. 2, Manmohan Singh. It has been stated that the appeal be disposed of in terms of compromise arrived at between the appellants and respondent no. 1, who is the only contesting respondent.

In view of the above, the appeal is disposed of in terms of the compromise arrived at between the parties. The compromise, Annexure A-1, shall form part of the decree.

10.7.2015
vs

(Rajesh Bindal)
Judge