

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

Civil Revision No.4821 of 2016 (O&M)

Date of Decision: 23.08.2016

KIRAN BALA DECEASED THRO LRS

.....Petitioner

Vs

SOM DEV THR LRS

....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Rajeev Sharma, Advocate
for the petitioner.

Mr. Naginder Singh Vashist, Advocate
for respondent No.1.

RAJ MOHAN SINGH, J. (Oral)

CM-16196- CII-2016

Pursuant to orders dated 29.07.2016 and 11.08.2016,
memorandum of confirmation of compromise dated 19.08.2004
is sought to be placed on record. The same is taken on record,
subject to all just exceptions.

Application stands disposed of.

Civil Revision No.4821 of 2016 (O&M)

[1]. On the basis of compromise between the parties,
Additional District Judge, Jalandhar passed an order dated
26.08.2004 wherein it was mentioned that Kiran Bala and

Jagdish Lal had refused to accept the Pay Order of Rs.9,25,000/- which was tendered and the same was ordered to be returned to Anil Kumar Bagga. Thereafter, the record was consigned. At that time Kiran Bala and Jagdish Lal were not satisfied with the order dated 26.08.2004 and wanted to pursue their legal remedies.

[2]. Civil Judge (Sr. Divn.) Jalandhar passed an order dated 19.01.2016 in execution. A review of the said order was also sought by Jagdish Lal. The said review application was also dismissed by the Civil Judge (Sr. Divn.) Jalandhar. Before parting with the order, the court observed that in order to re-concile the differences between the parties, strenuous effort was made, but the review-petitioner agreed only to hand over the possession of the property after quashing of entire criminal proceedings. Since no effort was made by him to seek any quashing before the Court, the observation was made that the decree-holder was ready to suffer favourable statement in the event of filing such quashing petition, provided the possession is delivered to the decree-holder before hand.

[3]. Now both the parties are *ad idem* that possession has already been delivered by the judgment-debtor to the decree-holder and the decree-holder is ready to make the necessary

statement for quashing or compounding the offences involved in the case in strict compliance to the terms and conditions entered into between the parties.

[4]. In view of memorandum of confirmation submitted on record by the learned counsel for the petitioners, the petitioners seek withdrawal of this revision petition.

[5]. In the light of aforesaid, this revision petition is allowed to be dismissed as withdrawn.

August 23, 2016

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No