

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

**RSA No.2646 of 1999 (O&M)
Date of decision : August 16, 2016**

Jarnail Singh and another

.....Appellants

Versus

Sadhu Singh through LRs

..... Respondent

CORAM : HON'BLE MR.JUSTICE GURMIT RAM

Present : Mr. K. Arun Singh, Advocate for
Mr. H.S. Sullar, Advocate
for the appellants.

Mr. Harkirat Sandhu, Advocate
for the respondent.

GURMIT RAM, J.

The brief background of this case is that respondent-Sadhu Singh herein (since deceased - plaintiff) filed a suit for possession by way of pre-emption in respect of suit land measuring 39 kanals 19 marlas as detailed in the headnote of the plaint. This suit was decreed by the Court of learned Civil Judge (Junior Division), Ambala City vide judgment and decree dated 01.09.1997. Jarnail Singh and others filed an appeal against

this judgment and decree of the learned trial Court, which was dismissed by the Court of learned Additional District Judge, Ambala vide judgment and decree dated 15.04.1999.

2. The appellants herein (defendants) being not satisfied with the judgments and decrees passed by both the Courts below have preferred the instant appeal before this Court, notice of which was given to the respondent.

3. This appeal was admitted for hearing vide order dated 29.01.2001.

4. During the pendency of this appeal before this Court, matter was referred for mediation and conciliation before Permanent Lok Adalat of this Court which was put up in the Daily Pre-Lok Adalat, wherein appellants stated that they had arrived at compromise with the respondent as also with the Trust to which part of land was sold by them (appellants). Compromise was also placed on the record of this file. After recording statements of both the parties, the matter was sent back to the Bench concerned for its disposal.

5. Today the file of this case put up before this Bench, Jarnail Singh s/o Jagir Singh for First Party; Jagdeep Singh s/o Late Sh. Sadhu Singh for Second Party and Morinder Singh Sodhi for Third Party to the alleged compromise also come present along with their respective counsel. Their statements were recorded in the Court in which they again admitted the factum of compromise as having been arrived at between the parties regarding land in dispute. Further they identified their signatures on

compromise (Annexure A-1) and stated that they have no objection if this appeal be disposed of in terms of compromise (Annexure A-1).

6. In the light of above statement of parties, this appeal stands disposed of in terms of compromise (Annexure A-1). So the suit also stands decreed partly in terms of compromise, Annexure A-1. The impugned judgments and decrees are also ordered to be modified accordingly. Decree-sheet, if any, be drawn in terms of compromise (Annexure-A1).

This appeal stands disposed of accordingly.

Civil miscellaneous application pending, if any, stands disposed of automatically.

Copy of this judgment be sent to the quarter concerned for information.

August 16, 2016
Gaurav Sorot

(GURMIT RAM)
JUDGE

1. Whether reportable? No / Yes
2. Whether speaking / reasoned? No / Yes