

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

1. RSA No. 1946 of 2010 (O&M)
Date of Decision : 03.11.2016

Pushpinder Singh

....Appellant

Versus

Hardial Sharma and others

....Respondents

2. RSA No. 2185 of 2010 (O&M)

Mehal Singh and another

....Appellant

Versus

Hardial Sharma and another

....Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.C. Chhabra, Advocate
for the appellant in RSA No. 1946 of 2010 and
for respondent no. 2 in RSA No. 2185 of 2010.

Mr. Gurmeet S. Saini, Advocate
for appellants in RSA No. 2185 of 2010 and
for respondents no. 2 and 3 in RSA No. 1946 of 2010

Mr. Vikas Gupta, Advocate
for respondent no. 1 in RSA No. 2185 of 2010.

Surinder Gupta, J.

CM No. 14246-C of 2016 in RSA No. 1946 of 2010 &
CM No. 14164-C of 2016 in RSA No. 2185 of 2010

Learned counsel for the appellant in RSA-1946-2010 and respondent no. 2 in RSA-2185-2010 submits that the matter has since been amicably settled between the parties vide compromise dated 27.09.2016 (Mark C-1) and appeals may be disposed of as per said compromise.

In view of submission of learned counsel for the appellant in RSA-1946-2010 and respondent no. 2 in RSA-2185-2010, appeals are taken on board today itself for disposal on the basis of compromise dated

27.09.2016.

**CM-12845-C-2016 in RSA-1946-2010 &
CM-4087-C-2016 in RSA-2185-2010**

These are applications to implead legal representatives of respondent no. 1-Hardial Sharma, who is stated to have died on 03.08.2015, leaving behind legal heirs as mentioned in para 4 of applications.

Applications are supported by affidavits and copy of death certificate of respondent no. 1-Hardial Singh.

Applications are allowed and amended memo of parties is taken on record.

CM-4088-C-2016 in RSA-2185-2010

This is application for grant of mesne profit.

Learned counsel for respondent no. 1 does not press the application.

Dismissed as not pressed.

RSA Nos. 1946 of 2010 and 2185 of 2010

Learned counsel for parties submit that the matter has since been amicably settled vide compromise dated 27.09.2016, which is taken on record as 'C-1'. The terms of compromise have been duly settled which find mention therein.

In view of submissions of learned counsel for parties, both the appeals are allowed and judgment and decree passed by Court below is set aside.

Learned counsel for parties submit that a sum of ₹30 lacs was deposited with nationalized bank under order dated 23.07.2012 passed in RSA No. 1945 of 2010. As per compromise this amount is to be returned to depositor.

In view of submission of learned counsel for parties, amount of ₹30 lacs deposited with nationalized bank as per order dated 23.07.2012 be returned to depositor.

Disposed of in the terms indicated above.

Copy of this order be placed on the file of other connected matter.

November 03, 2016
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No