

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.M. No.5811-C of 2016 and
C.M. No.7256-C of 2016 &
RSA No.2942 of 2016 (O&M)
Date of decision: 31.05.2016

Pritam Kaur and others

.....Appellants

Vs.

Gajjan Singh and others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE AMOL RATTAN SINGH.

Present:- Ms. Alka Sarin, Advocate
for the applicant-appellants.

Mr. A.S. Gill, Advocate
for respondent No.1.

- (1) To be referred to the Reporters or not?
- (2) Whether the judgment should be reported in the Digest?

.....
AMOL RATTAN SINGH, J. (Oral)

C.M. No.5811-C of 2016

Learned counsel for the applicant-appellants submits that in view of a technical defect in the application, it may be dismissed as withdrawn.

Ordered accordingly.

**C.M. No.7256 of 2016 &
RSA No.2942 of 2011 (O&M)**

By this application, the appellants seek to have the appeal allowed pursuant to a compromise-deed (Annexure C-1), stated to have been arrived at between them and respondent No.1-Gajjan Singh, who is stated to be the sole contesting respondent, in view of the fact that the other respondents, i.e. respondent Nos.2 to 27, never contested either the suit or the first appeal, nor even the present second appeal, as is evident from the order dated 20.09.2011 passed by this Court, by which respondent Nos.2, 3 10, 11 and 12 were proceeded against *ex parte* and service upon the remaining respondents was

dispensed with, as they were not contesting respondents even before both the Courts below.

Today, Mr. A.S. Gill, Advocate, appearing on behalf of respondent No.1, has filed a reply to the application, by way of an affidavit of Manjit Singh son of Gajjan Singh-respondent No.1, along with a Special Power of Attorney executed by Gajjan Singh in favour of his son, Manjit Singh. A copy of the identity card (Aadhar Card), issued by the Unique Identification Authority of India, showing the photograph of Manjit Singh to be the same person, who is present in the Court today, has been annexed with the reply to the application.

Upon query from the aforesaid Manjit Singh, Attorney of his father respondent No.1-Gajjan Singh, he has stated, as is stated in his affidavit, that he has no objection if the appeal is allowed in favour of the appellants, in terms of the compromise-deed (Annexure C-1), annexed with the application.

Accordingly, the application is allowed. In view of the facts narrated above, the present appeal is also allowed, in terms of the compromise-deed (Annexure C-1), entered into by the appellants with respondent No.1.

A decree sheet be drawn up accordingly, annexing therewith a copy of the said compromise deed.

May 31, 2016
seema/vcgarg

(Amol Rattan Singh)
Judge