

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

**Regular Second Appeal No.2341 of 2012 (O&M)
Date of Decision: July 12, 2016**

Balaur Singh and others

.....APPELLANTS

VERSUS

Gurdish Singh and others

.....RESPONDENTS.

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ishwar Lal, Advocate
for the applicant-appellant (s).

Mr. B.S. Walia, Advocate
for respondents No.1 and 2.

SURINDER GUPTA, J.(Oral)

CM No.3110-C-2016

Heard. The appeal was dismissed on 10th February, 2016, due to non-appearance of the appellants or their counsel.

In the application filed by the applicant-appellant(s), it is submitted that absence of counsel for the applicant-appellant(s) was unintentional, as the parties were heading for compromise and when the case was called, he could not reach in time being busy before other Bench.

Learned counsel for respondents No.1 and 2 submits that he

has no objection, if the appeal is ordered to be restored.

In view of the above submissions of learned counsel for respondents No.1 and 2, the application is allowed. Order dated 10th February, 2016 is recalled and the appeal is ordered to be restored at its original number.

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Learned counsel for the appellants submits that matter has since been amicably settled before the court of learned Addl. District Judge, Ludhiana, vide compromise deed, copy of which placed on file and taken on record as Ex.CX.

Learned counsel for respondents No.1 and 2 also submits that matter has since been amicably settled.

In view of the above submissions and the fact that the matter has already been settled between the parties, counsel for the appellants seeks permission to withdraw the appeal.

Dismissed as withdrawn.

(SURINDER GUPTA)
JUDGE

July 12, 2016
deepak/jv