

IN THE HIGH COURT OF PUNJAB & HARYAN AT CHANDIGARH

RSA No.957 of 2011

Date of Decision: 26.05.2016

Dinesh

.....Appellant

Versus

Suresh @ Sonu @ Ajay & anr.

....Respondent

CORAM: HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Appellant-Dinesh with Mr. R.S. Malik, Advocate.

Respondent No.1-Suresh @ Sonu @ Ajay with Mr. Ajay Ghangas, Advocate.

Respondent No.2-Smt.Roshni in person.

Darshan Singh, J.(Oral)

The parties have compromised the matter. They have placed on file the written compromise along with the affidavits of respondent No.1-Suresh and respondent No.2-Smt.Roshni which are taken on record.

2. The statements of respondents-Suresh @ Sonu @ Ajay and Smt. Roshni as well as appellant-Dinesh have been recorded. Respondents-Suresh and Smt. Roshni have stated that they have compromised with appellant-Dinesh. The written compromise is Ex.CX which bears their signatures. They have heard and understood the compromise Ex.CX which is accepted to be correct. They have no objection if the present appeal is allowed on the basis of written compromise Ex.CX. They have further stated that judgment and decree dated 29.11.2010 passed by the Additional District Judge, Sonapat may be set aside. The suit filed by Suresh

@ Sonu @ Ajay may be dismissed. The sale deed dated 18.5.2005 executed by Smt. Roshni in favour of appellant-Dinesh be kept intact and they accept the said sale deed to be legal and valid.

3. Appellant-Dinesh has also made the statement that he has heard the statements of respondents-Suresh and Smt.Roshni which are accepted to be correct. They have compromised the matter. The written compromise is Ex.CX which bears his signatures. He has heard the written compromise Ex.CX which is accepted to be correct. As per the written compromise Ex.CX and the statements made by the respondents, the present appeal be accepted.

4. The statements of the parties and the written compromise Ex.CX as well as the affidavits filed by respondent-Sonu @ Suresh @ Ajay and Smt. Roshni show that the parties have compromised. The terms of the compromise are recorded in the written compromise Ex.CX. As per the written compromise Ex.CX, the present appeal is to be allowed and the judgment and decree dated 29.11.2010 passed by the First Appellate Court is to be set aside.

5. Thus, keeping in view the written compromise Ex.CX and the statements made by the parties, the present appeal is hereby allowed. The judgment and decree dated 29.11.2010 passed by the learned First Appellate Court are hereby set aside. The written compromise Ex.CX be made the part of the decree accordingly.

May 26, 2016
ps

(DARSHAN SINGH)
JUDGE