

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

Date of decision : 19.09.2016

1. RSA-3107-2015 (O&M)

Mohan Lal (deceased through LRs)

... Appellant

Versus

Raj Kishan Garg and others

... Respondents

2. RSA-3108-2015 (O&M)

Rakesh Kumar

... Appellant

Versus

Raj Kishan Garg and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. P.C. Chaudhary, Advocate
for the appellant(s) in both the appeals.

Mr. Arun Kumar Singal, Advocate
for respondent Nos.1 to 7 in RSA-3107-2015 and
for respondent Nos.1 to 4 in RSA-3108-2015.

AMIT RAWAL, J. (ORAL)

This order of mine shall dispose of the appeal bearing **RSA No.3107 of 2015** titled as **“Mohan Lal (deceased through LRs) V/s Raj Kishan Garg and others”** at the instance of successor-in-interest of Mohan Lal, who was the plaintiff and sought the partition of the suit property, but was not successful in both the Courts below and the other appeal bearing **RSA No.3108 of 2015** titled as **“Rakesh Kumar V/s Raj Kishan Garg and others”**, at the instance of the appellant-Rakesh Kumar, whereby the nephews of Mohan Lal had instituted a suit against the son of Mohan Lal,

namely, Rakesh Kumar for vacation of the premises by seeking the mandatory injunction, which has been decreed by the trial Court and against the same, the appeal filed by the son of Mohan Lal, who was defendant in the Civil Suit bearing No.325-A of 2005, has also been dismissed.

Learned counsel for the parties are *ad idem* that the matter has been compromised.

Copy of the family settlements/compromise dated 18.09.2016 is taken on record.

As per the family settlements, the appeal bearing No.3107 of 2015 has to be withdrawn.

Ordered accordingly.

And the appeal bearing No.3108 of 2015 is ordered to be disposed of in terms of the compromise. The parties shall be bound by the compromise. The compromise and as well as the map attached are made the part and parcel of the decree and the judgment and decree stands modified in terms of the compromise.

With the aforesaid observations, the appeal bearing No.3107 of 2015 is dismissed as withdrawn and the appeal bearing No.3108 of 2015 is disposed of.

19.09.2016
yogesh

(AMIT RAWAL)
JUDGE

✓

Whether speaking/reasoned Yes/ No

✓

Whether Reportable Yes/ No