

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

**240 Regular Second Appeal No. 2351 of 2014 (O&M)
 Date of Decision: August 16, 2016**

KRISHAN

-APPELLANT

VS

RAJENDER SINGH AND OTHERS

-RESPONDENTS

Civil Revision No. 8855 of 2014

RAJENDER SINGH AND ANOTHER

-PETITIONERS

VS

KRISHAN

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Ajay Jain, Advocate
 for the appellant (in RSA-2351-2014)
 for the respondent (in CR-8855-2014).

Mr.J.P.Sharma, Advocate
for respondents No.1 and 2 (in RSA-2351-2014).
for the petitioners (in CR-8855-2014).

Respondent No.17 exparte.

RAJ MOHAN SINGH, J. (ORAL)

This order shall dispose of Regular Second Appeal No.2351 of 2014 titled as Krishan vs. Rajender Singh and another and Civil Revision No.8855 of 2014 titled as Rajender Singh and another vs. Krishan. The subject matter of Regular Second Appeal No.2351 of 2014 was referred to Mediation and Conciliation Centre of this Court vide order dated 16.05.2016. Both the parties appeared before the Mediation and Conciliation Centre and struck a compromise voluntarily on their own free will.

According to the terms and conditions of settlement before the Mediation and Conciliation Centre, first party i.e. appellant in RSA No.2351 of 2014 has agreed to accept the partition done on 25.09.2002 and mutation No.221 sanctioned in pursuance thereof. The status quo with regard to possession has to be maintained by all concerned. The first party also undertook to withdraw the present appeal and also the

contempt proceedings pending in the trial Court. Both the learned counsel for the parties are ad idem that infact Civil Revision No.8855 of 2014 has arisen out of contempt proceedings under Order 39 Rule 2-A CPC wherein the property of the respondent was attached in RSA No.2351 of 2014. Appellant undertook to withdraw the contempt proceedings in original. As a consequence of that, the property of the revisionist petitioner attached has to be released in view of this compromise. Both the parties also agreed that in future, none of them will indulge in any legal proceedings in any Court of law nor will use force against each other.

Pursuant to aforesaid settlement dated 25.07.2016, a memo of compromise in recognition of original settlement dated 25.07.2016 is being placed on record of each case.

Learned counsel for both the parties are ad idem that the parties to the lis would abide by the terms and conditions of compromise. As a consequence of aforesaid compromise, RSA

No.2351 of 2014 is ordered to be withdrawn. Both the parties would remain bound by the compromise. Civil Revision No.8855 of 2014 stands disposed of. In terms of compromise, the property attached in terms of Order 39 Rule 2-A CPC would be released.

Disposed of.

16.08.2016
 jyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No