

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

**RSA No.5716 of 2015 (O&M)**

**Date of decision:25.05.2016**

Rajiv Kumar and another

... Appellants

Vs.

Rajiv Kumar and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Bhavnik Mehta, Advocate  
for the appellants.

Mr. Deepak Arora, Advocate  
for respondent No.1.

Mr. P.L.Singla, Advocate.

**AMIT RAWAL J. (Oral)**

The present Regular Second Appeal is directed against the order dated 10.09.2014 passed by the trial Court and upheld by the Lower Appellate Court by drawing final decree in pursuance to the preliminary decree dated 21.11.2006.

Appellants, namely, Rajiv and Rajesh Kumar are aggrieved of the final decree drawn by the trial Court by accepting proposal no.2 at page 69 of the paper book (submitted by the Local Commissioner appointed in this regard).

During the course of hearing of the aforementioned appeal, parties have arrived at compromise, whereby, they have agreed to proposal

no.1 at page 68 of the paper book subject to following terms and conditions:-

*“1. Shop (11' x 51') shown as House in yellow colour on page 68 of Plan 1, shall be delivered by Rajesh Kumar (appellant No.2) to respondents No.4, 6 to 9 (through Sh. Surinder Kumar) now purchased by Amir Chand.*

*2. Spaces (10 ½' x 11') and (10'x11') shown in blue colour shall be delivered by Amir Chand (subsequent purchaser from respondents no.4, 6 to 9 and Sh. Rajiv Kumar son of Faqir Chand to appellants/LRs of deceased Sh. G.R.Dhir, through their SPA dated 31.7.2013 Sh. Rajesh Kumar and for other co-sharers.*

*3. Portion of shop (10' x 51') shown green in colour in possession of Sh. Roshan Lal, tenant, shall be got vacated by Rajiv Kumar son of Sh. Faqir Chand respondent No.1.*

*4. Double storey shop, shown in blue colour (at the bottom of plan), purchased by Sh. Rajiv Kumar son of Sh. Tarlok Chand, shall remain in his possession.”*

In view of the aforementioned compromise, the final decree is hereby modified and shall be construed in the manner aforementioned, i.e., as per the proposal no.1 at page 68 of the paper book. Since execution application is pending, trial Court is directed to pass a final order in view of the aforementioned terms and manner and thereafter, appoint the Local Commissioner for compliance of the same.

Accordingly, the appeal stands disposed of.

**(AMIT RAWAL)**  
**JUDGE**

**May 25, 2016**  
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