

M/s. Jain Trading Co. and anr. Vs. Shushma Rani and ors.

Present: Ramesh Kumar – appellant No.2 in person with
Mr.Divanshu Jain, Advocate.

Shushma Rani – respondent No.1 in person with
Mr.Chetan Goel, Advocate.

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Present appeal has been filed by the appellants against the judgment and decree dated 20.12.2012 passed by the Court of learned Addl. Civil Judge (Sr. Divn.), Chandigarh, which was affirmed by the first Appellate Court vide judgment and decree dated 28.02.2014. After filing this appeal, parties have entered into compromise on 19.07.2014 before the Court of learned Civil Judge (Sr. Divn.), Chandigarh, in pending Civil Suit No.1687 of 31.01.2007, titled “Smt.Sushma Rani Vs. Smt. Laxmi Devi and others”, which was Ex.C-1. Certified copy of the same has also been placed on the record, which is Ex.CX. The compromise was also got registered on 13.12.2019 before Sub-Registrar, Rupnagar. In that compromise, both the parties have stated that they have acted upon in terms and conditions of the compromise. There were many disputes pending between the parties, who are family members and which have been settled as per compromise Ex.C-1. Statements of both the parties have been recorded. It has been stated by respondent No.1 that the present appeal may be accepted and the decrees passed by the Courts below in her favour be set aside and the suit filed by her be ordered to be dismissed as withdrawn.

In view of the above, the present appeal is accepted and the decrees passed by the Courts below are set aside and the suit filed by

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respondent No.1 is ordered to be dismissed as withdrawn in terms of compromise Ex.CX.

The Court fee affixed by appellant No.2 in this appeal is ordered to be refunded to him as appellant No.1 – M/s. Jain Trading Co. has since been dissolved as per aforesaid compromise.

(R.K.Nehru)
President

(Ram Chand Gupta)
Member

17.12.2019
P.Seth