

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

C.M. Nos. 7919-20-CII of 2017 in/and
C.R. No. 2538 of 2001
Date of decision: 19.04.2017

Hargobind

....Petitioner(s)

Versus

Smt. Shanti Devi (Dead) through L.Rs. and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. O.P. Goyal, Sr. Advocate,
with Ms. Shallie Mahajan, Advocate,
for the applicant-petitioner.

Mr. Amit Jain, Advocate,
for the respondents.

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 7919-CII of 2017

Application seeking exemption from filing certified copies of Annexures R, S, T and U and for placing them on record is allowed subject to all just exceptions.

The same are taken on record.

C.M. No. 7920-CII of 2017

The present application has been filed for allowing the revision petition in view of the compromise which has been effected inter se the parties.

Notice in the application.

Mr. Amit Jain, Advocate accepts notice of the application on behalf of the non-applicant/respondents.

The deceased respondent Shanti Devi had filed ejectment

application on the ground of subletting and non-payment of rent and an order of ejectment was passed on 11.12.1993 by the Rent Controller, Narnaul. Respondent no. 2-Nathu Ram had been proceeded against ex parte. The petitioner filed an appeal before the Appellate Authority, Narnaul, which was dismissed on 04.12.2000. Resultantly, the present revision was filed.

On 09.08.2002, the execution proceedings were directed to be stayed. The case was burnt in fire incident and has been reconstructed. In the execution proceedings now filed, compromise has been effected Ex.CX whereby, sum of ₹2,00,000/- each have been received by the legal representatives of deceased-Shanti Devi and in view of that, execution petition was consigned to the record room by the Executing Court at Narnaul on 18.03.2017. The parties have also been bound down with the terms of compromise by the Executing Court on the said date and the execution petition stands dismissed as satisfied. Resultantly, the present application has been filed.

The terms of the compromise have also been incorporated in the application. The prayer is accordingly made that the revision petition be allowed in view of the compromise and the same be made part of the order so that there is no dispute between the parties in future.

Mr. Jain has no objection to the said course of action.

C.R. No. 2538 of 2001

The revision petition is allowed in view of the terms of compromise. The ejectment order dated 11.12.1993 by the Rent Controller, Narnaul and the order dated 04.12.2000 passed by the Appellate Authority, Narnaul are set aside. The parties shall remain bound down by the stand

taken in view of the terms of compromise which have also been placed on record before the Executing Court and which is part of the above miscellaneous application.

Accordingly, revision petition stands allowed in view of the above said compromise.

19.04.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No