

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

Date of decision: 28.02.2017

1. CR No.452 of 2014 (O&M)

Amrik Singh and others

... Petitioners

Vs.

Chanan Singh and others

... Respondents

2. CR No.459 of 2014 (O&M)

Amrik Singh and others

... Petitioners

Vs.

Jagmel Singh and others

... Respondents

3. CR No.3794 of 2014 (O&M)

Amrik Singh and others

... Petitioners

Vs.

Balwinder Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

**Present: Mr. Nakul Sharma, Advocate
for the petitioners.**

**Mr. Dinesh Sharma, Advocate
for respondents No.1 to 4.**

**Mr. H.S. Dhandi, Advocate
for respondents No.5 & 6.**

RAMESHWAR SINGH MALIK, J. (ORAL)

These three identical civil revision petitions bearing CR No.452 of 2014 (Amrik Singh and others Vs. Chanan Singh and others), CR No.459 of 2014 (Amrik Singh and others Vs. Jagmel Singh and others) and CR No.3794 of 2014 (Amrik Singh and others Vs. Balwinder Singh and others), between the same parties, are being disposed of, vide this common order, with the consent of learned counsel for the parties, as all the revision petitions are arising out of same set of facts. However, for the facility of reference, facts are being culled out from CR No.452 of 2014 (Amrik Singh and others Vs. Chanan Singh and others).

Feeling aggrieved against the impugned order dated 23.11.2013 (Annexure P-1) and the decree (Annexure P-2), petitioners have approached this Court by way of these three revision petitions filed under Article 227 of the Constitution of India, for setting aside the impugned order.

Notice of motion was issued.

Heard learned counsel for the parties.

Before proceeding further, the impugned order dated 23.11.2013 (Annexure P-1) passed by the learned Lok Adalat deserves to be referred and the same reads as under: -

“Present: Sh. Tara Chand Adv. Counsel for the plaintiff.

Defendant ex-parte.

File put up before Lok Adalat. Counsel for plaintiff stated that compromise has already been effected between the parties and statement of both the parties have already been recorded to this effect and case be decided according to compromise.

Vide my separate judgment of the even date, suit of the plaintiff is decreed as per compromise Ex.C1. Decree sheet be prepared. This decree shall be effected only qua the parties of Ex.C1 and will not effect the right, title or liabilities of other persons. File is ordered to be consigned to record.

Announced.

Sd/-

23.11.2013

(Rajinder Singh) PCS

Presiding Officer Lok Adalat

Amloh.”

The judgment and decree (Annexure P-2) were passed strictly in accordance with the compromise Ex.C1 and the abovesaid order dated 23.11.2013 (Annexure P-1) passed by the learned Lok Adalat. Relevant part of the decree dated 23.11.2013, available at page 34 of the paper book, reads as under: -

“This suit coming on today i.e. 23th November, 2013 for final disposal before me (Rajinder Singh, PCS, Civil Judge, Jr. Divn. Amloh), in the presence of Sh. Tara Chand counsel for the plaintiff and defendants exparte. It is hereby ordered that suit of the plaintiff is hereby decreed as per compromise Ex.C1. However both the parties shall remain bound as per the compromise Ex.C1. Parties are left to bear their own costs. Unexhibited document and undisbursed diet money if any be returned to the respective parties. This decree shall be effected only qua the parties of Ex.C1 and will not effect the right, title or liabilities of other persons.”

It has gone undisputed before this Court that the petitioners were not party to the compromise Ex.C1. Once the petitioners were not party to the

compromise Ex.C1 and the decree has been passed making it specifically clear that the decree shall be effected only qua the parties of Ex.C1 (compromise) and will not effect the right, title or liabilities of other persons, petitioners are not effected by the impugned order (Annexure P-1) as well as the decree (Annexure P-2).

At this stage, learned counsel for the petitioners sought to argue that the petitioners became party to the compromise at a later stage and that too through intervention of the Court. However, no such order has been impugned in the present revision petition. In this view of the matter, no fault can be found with the impugned order (Annexure P-1) as well as the decree (Annexure P-2).

However, it is made clear that if the parties had or would change their status with their mutual consent or otherwise at a later stage of the litigation, law will take its own course.

With the abovesaid observations made, all these three revision petitions stand disposed of, however, with no order as to costs.

[RAMESHWAR SINGH MALIK]
JUDGE

28.02.2017
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No