

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

**CWP No.11381 of 2017
Date of Decision.02.06.2017**

Sh. Sunil Kumar and anotherPetitioners

Vs

State of Chandigarh and othersRespondents

Present: Mr. Narinder S. Lucky, Advocate
for the petitioners.

Mr. Abhishek Arora, Advocate
for respondent No.3.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J.(ORAL)

In pursuance of the notice of motion order dated 23.05.2017, Mr. Abhishek Arora, Advocate has put in appearance for respondent No.3. The parties are present in Court and in proceedings initiated by this Court under Section 89 CPC, a settlement had been arrived at between the parties in respect of proceedings initiated by respondent No.3 under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

This Court vide order dated 23.05.2017 on the assertions and averments made by Mr. Narinder S. Lucky had issued notice of motion and stayed dispossession.

The petitioner No.1-Sunil Kumar and his wife Sonu, 2nd petitioner, are present in Court and submit that prior to one year, they were living in separate house but moved into house in question, owing to the old age of the mother and to have congenial and homogenous atmosphere in the family so that children may learn to respect elders and attain love and affection of their grandmother but certain indifferences accrued. It is in this

backdrop of the matter, the mother at some point of time, had filed a complaint against them but in order to have harmony in the family, withdrew the same.

Mr. Abhishek Arora, learned counsel appearing on behalf of respondent No.3 submits that it is basically petitioners who are causing harassment and not allowing the mother to even cook food.

In view of such situation, this Court made an attempt of reconciliation and have been successful in apprising the parties against fallout of the proceedings initiated and have agreed on following terms and conditions, which read as under:-

- (i) The petitioners No.1 and 2, present in Court, have undertaken to vacate the premises within three months i.e. on or before 31.08.2017.
- (ii) The petitioners stated to have spent few lacks of rupees on renovation of the house. Mr. Abhishek Arora, learned counsel appearing on behalf of respondent No.3 submits that an amount of ₹4 lacs shall be given to the petitioners. The amount of ₹.4 lacs shall be paid to the petitioners within a period of six months i.e. on or before 31.12.2017.
- (iii) During such period, it is expected from the parties that they will not indulge into insinuation and embroilment, resulting into any disgruntlement expressed in the Court. Both the parties shall maintain the harmony and shall not indulge into disconnection of electricity supply, disruption of water supply or other basic amenities and locking of the kitchen. In case any such event happens, they shall approach their

respective counsels, who shall initiate reconciliation proceedings.

(iv) Any complaint/case filed by respondent No.3 against the petitioners shall be rendered infructuous.

The writ petition stands disposed of in the aforementioned terms. Separate statements of the parties recorded in Court be made part of the record.

(AMIT RAWAL)
JUDGE

June 02, 2017

Pankaj*

Whether speaking/reasoned Yes

Whether reportable No