

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.1447 of 2015 (O&M)
Date of Order: 09.10.2017

Sukhwinder Singh and another

..Appellants

Versus

Ajaib Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. N.S.Diwana, Advocate,
for the applicants-appellants.

Mr. Raj Kumar Gupta, Advocate,
for respondent no.1.

ANIL KSHETARPAL, J(Oral)

C.M.No.12239-C of 2017

Allowed as prayed for.

Compromise/settlement dated 02.08.2017, is taken on record.

C.M.No.12240-C of 2017

Prayer in this application is for fixing an early date in the case.

For the reasons mentioned in the application, which is supported by an affidavit, the same is allowed. The hearing of the main case is pre-poned to today i.e. 09.10.2017.

C.M.No.12241-C-2017 &
RSA No.1447 of 2015

This application is for disposal of the appeal in terms of compromise/settlement deed dated 02.08.2017, duly signed by the appellants and the contesting respondent. The settlement deed has been placed on file as mark "CX", which is taken on record.

Gurbachan Singh is alleged to be owner of the property. He had entered into an agreement to sell with respondent no.1-plaintiff and thereafter sold the property in favour of defendants no.2 and 3, who are appellants before this Court. The suit filed by the plaintiff was decreed and consequently the sale in favour of the appellants was set aside. Gurbachan Singh, who, in the meantime died, had already transferred his rights in favour of the appellants.

The legal heirs of Gurbachan Singh, namely, Gurmail Singh, who is respondent no.2 before this Court was not served and his service was dispensed with by taking into consideration the facts of the case.

Respondent no.1-Ajaib Singh is present in Court today and has been duly identified by his counsel. He admits the correctness of the compromise/settlement deed dated 02.08.2017. Counsel for the appellants has also stated at bar that the parties have entered into a compromise/settlement deed, dated 02.08.2017.

In view of what has been stated hereinabove, the application is allowed and the regular second appeal is disposed of in terms of the compromise/settlement deed, dated 02.08.2017.

The compromise/settlement deed, dated 02.08.2017 be made part of the decree.

October 09, 2017
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No