

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA
AT CHANDIGARH**

**CM No. 5842-C-2017 in/and
RSA No. 3493 of 2015 (O&M)
Date of decision: 2.5.2017**

Brij Bhan

...Appellant

Versus

Jaibir

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Alok Mittal, Advocate and
Mr. Santosh Sharma, Advocate
for the appellant.

Mr. Alok Jain, Advocate
for the respondent.

RAMESHWAR SINGH MALIK, J. (Oral)

Applicant, by way of CM No. 5842-C-2017, seeks permission to place on record affidavit/deed dated 26.4.2017 (Annexure A-1) and also prays for allowing the instant appeal in terms of the compromise.

Notice of the application to the counsel for the non-applicant-respondent.

At this stage, learned counsel for the respondent accepts notice.

Learned counsel for the parties are ad idem that let present appeal be allowed in terms of the settlement arrived at between the parties vide Annexure A-1.

In view of the abovesaid common stand taken by learned counsel for the parties, instant application as well as and the main appeal are allowed. Impugned judgment and decree dated 6.5.2015 passed by the

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learned first appellate court are hereby set aside. Should there be any confusion, it is made clear that parties shall remain bound by the terms and conditions of settlement arrived at between them vide abovesaid deed dated 26.4.2017 (Annexure A-1). Affidavit/deed dated 26.4.2017 (Annexure A-1) shall form part of the decree.

With the abovesaid observations made, instant appeal stands allowed, however, with no order as to costs.

2.5.2017
AK Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No