

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

RSA No. 1397 of 2014(O&M)

Date of decision November 21, 2017

Surinder Singh and another

..... Appellants

Versus

Surjit Kaur and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Kanwaljit Singh, Senior Advocate with
Mr. Gagandeep Singh Virk, Advocate
for the appellants.

Mr. D. K. Singal, Advocate
for the respondents.

AVNEESH JHINGAN, J (ORAL)

The present Regular Second Appeal has been filed against the judgment and decrees of both the courts below decreeing the suit for recovery to the extent of Rs. 2,50,000/- along with interest.

The bare facts necessary at this stage are that Hardeep Kaur who was married to Surinder Singh appellant (in the present case) consumed poison on 1.8.2007 and ultimately she died on 3.8.2007. Out of their wedlock there is female child Prabhjot Kaur. Her Date of Birth is 12.12.2006. She is minor at this stage. The suit was filed for damages.

Jasmer Singh father of Surinder Singh, grandfather of Prabhjot Kaur and one of the appellant in the present case is present in Court(on behalf of all the appellants). Rajinder Singh son of Ishar Singh, brother of the deceased is present in Court(on behalf of all the respondents).

Both the parties have agreed that this matter will not be

pursued any further subject to the condition that the appellants will make a Fixed Deposit Receipt of Rs. 2,50,000/- in a Nationalized bank. The said Fixed Deposit Receipt would be in the name of Prabhjot Kaur and it would be till the date she attains majority. The said amount or its interest cannot be withdrawn or used till Prabhjot Kaur attains majority. No incumbrance would be created on this Fixed Deposit Receipt till her attaining the age of majority. The FDR would be prepared within a period of one month. Attested photocopy of the FDR would be handed over to the counsel of Rajinder Singh-respondent No.3.

In view of the aforesaid compromise, the judgments and decrees of both the courts below are modified to that extent and the appeal is disposed of in the abovesaid terms.

In case of failure of the appellants to comply with the terms and conditions of the compromise, the respondents would be at liberty to execute the decree.

Copy of this order be given to the Bank in which FDR would be made.

(AVNEESH JHINGAN)
JUDGE

November 21, 2017
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