

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

**RSA No. 5618 of 2015 (O&M)
Date of Decision: 19.09.2017**

Jagir Singh (now deceased) through his LRs

..... Appellants/Defendants

Versus

Harbhajan Singh

..... Respondent/Plaintiff

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Pawan Kumar, Sr. Advocate, assisted by
Mr. Vipin Kumar, Advocate
for the appellants-defendants.

Mr. Nitin Rathore, Advocate
for the respondent-plaintiff.

JASWANT SINGH, J. (ORAL)

Appellant/defendant-Jagir Singh (since deceased) and respondent/plaintiff-Harbhajan Singh are the co-sharer of two residential houses situated in Village Jandiala, Tehsil Phillaur, District Jalandhar. The plaintiff-Harbhajan Singh (respondent herein) filed a suit for partition by metes and bounds, which was allowed and preliminary decree of partition dated 18.09.1984 was framed by the Sub Judge First Class, Phillaur, which was duly upheld in appeal vide judgment dated 29.09.1988 passed by learned Additional District Judge, Jalandhar. Thus, the plaintiff/respondent filed an application for framing of the final decree of partition by appointment of a Local Commissioner, which was allowed vide judgment and decree dated 25.05.2015 passed by learned Additional Civil Judge (Sr. Division), Phillaur.

Appellants-defendants aggrieved against the aforesaid order dated 25.05.2015 filed an appeal, which was dismissed vide judgment and decree dated 07.10.2015 passed by the learned Additional District Judge, Jalandhar, hence the present appeal impugning both the aforesaid final decrees for partition filed by the appellants-defendants.

During the course of previous hearings, the parties were referred to the Mediation and Conciliation Centre of this Court.

As per report dated 25.10.2016, the parties had arrived at a written compromise deed dated 25.10.2016 before the Mediator, which is available at '*Flag-A*'.

At the time of hearing, learned counsel for the parties pray for modifying the impugned decrees in terms of the aforesaid written settlement dated 25.10.2016.

In view of the aforesaid agreed stand of the parties, the present appeal is disposed of in terms of the aforesaid settlement/compromise deed dated 25.10.2016 (Flag-A). The impugned decrees are, thus, modified in terms of the compromise deed. Decree sheet be prepared accordingly.

September 19, 2017

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**(JASWANT SINGH)
JUDGE**

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