

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

RSA No. 5346 of 2014 (O&M)

DATE OF DECISION : 02.11.2017

M/s Jay Maa Confectionery

.... APPELLANT

Versus

Sunil Kumar

.... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Sanjiv Gupta, Advocate,
 for the appellant.

 Ms. Kamalpreet Kaur, Advocate,
 for the respondent.

* * *

AVNEESH JHINGAN, J. (Oral)

The present regular second appeal is at the behest of the defendant-tenant against the judgments and decrees passed by the courts below decreeing the suit of the plaintiff-landlord.

The parties are being addressed as per their original position in the plaint.

During the pendency of the regular second appeal, both the parties have entered into a compromise. In support of the compromise, Krishan Chand son of late Hukam Chand Goel, proprietor of the defendant firm, has filed affidavit and he himself is present in the court. An affidavit has been filed by Sunil Kumar son of Shri Desh Ram plaintiff and he is also

present in the court. Learned counsel for both the parties have identified their respective clients. The affidavits of the parties are taken on record as Mark 'A' and 'B'. The terms of the compromise have been mentioned in the affidavit filed by the plaintiff, which are being re-produced below :-

- (i) That the deponent agreed to give 2 years time to appellant-tenant from November, 2017 to November 2019 to vacate the present premises appellant shall pay the mesne profit of Rs. 19,000/- per month payable on or before 10th every month.
- (ii) That the deponent shall take possession of the premises after 2 years i.e. in November 2019 or earlier in case, appellant wants to vacate the same. After two years from today possession shall be handed over by the appellant to the respondent without execution.

In view of the compromise arrived at between the parties, the present appeal is disposed of in terms of the compromise and the parties shall remain bound by the terms and conditions of the compromise.

November 02, 2017
ndj

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No