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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 2964 of 2016 (O/M)
Date of decision : 4.5.2018

Kanchan Bala

..... Petitioner

Versus

Rajiv Kumar and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Aakash Singla, Advocate, for,
Mr. Ravish Bansal, Advocate,
for petitioner.

Mr. Bhavyadeep Walia, Advocate,
for respondents.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

Impugned in present revision is order dated 7.9.2015 (Annexure-P-7), passed by learned Civil Judge (Junior Division), Patiala, vide which an application filed by petitioner under Order XXIII Rule 3 CPC, 1908, for dismissal of suit on account of compromise was dismissed.

Perusal of impugned order shows that compromise was alleged by defendant, praying that on the basis of compromise, suit should be dismissed. However, if plaintiffs took the plea that defendant did not comply with terms and conditions of compromise.

I am of the view that on the basis of compromise, suit cannot be dismissed. However, if defendant claim compromise, trial Court can frame issue in this regard and decide same alongwith main suit. There is no

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illegality or infirmity in impugned order. Consequently, revision is dismissed.

(KULDIP SINGH)
JUDGE

4.5.2018
sjks

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No