

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

PBT No. 1 of 2002 (O&M)
Date of Decision: 11.12.2018

Swadesh Kumar GuptaPetitioner

VERSUS

General Public and othersRespondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. C.M. Munjal, Advocate
for the petitioner.

Mr. Sukant Gupta, Advocate
for respondents no. 2 and 3.

None for remaining respondents.

SURINDER GUPTA, J.(Oral)

CM-2500-CII-2014

This is application to implead legal heirs of petitioner-Swadesh Kumar Gupta, who is stated to have died on 21.06.2013, leaving behind Will in favour of Veena Gupta.

Learned counsel for the respondents has no objection if the instant application is allowed and Veena Gupta is ordered to be impleaded to pursue the main petition on behalf of petitioner-Swadesh Kumar Gupta.

Application is allowed. Veena Gupta, legal heir of petitioner-Swadesh Kumar Gupta, is permitted to pursue the main petition on his behalf.

Amended memo of parties is taken on record.

PBT-1-2002 (O&M)

Learned counsel for parties submit that the parties have arrived

at amicable settlement of the dispute as per deed of settlement, copy of which has been placed on file of PBT No. 3 of 1994 as Ex. CX. All the terms of settlement have been incorporated in that deed of settlement.

Learned counsel for the petitioner submits that he has also to move application seeking withdrawal of the petition in view of compromise but the same could not be filed as some objections were raised by the Registry. However, he endorses the facts mentioned in deed of compromise placed on file of PBT No. 3 of 1994.

Learned counsel for the parties submit that as the matter has been amicably settled, the instant petition may be disposed of as per terms of settlement leaving the parties to comply with terms as mentioned in the deed of settlement.

In view of submission of learned counsel for parties, instant petition stands disposed of as per deed of settlement (Ex. CX) placed on file of PBT-3-1994. The parties shall remain bound by the terms of settlement and do the needful to comply with the same.

The deed of settlement (Ex. CX) placed on file of PBT-3-1994 shall be read as part of this order. In the event of non-compliance of any of the term of settlement, the parties will have the liberty to avail the remedy available to them under the law including seeking revival of this petition.

(SURINDER GUPTA)
JUDGE

December 11, 2018

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No