

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

**CM Nos. 4424-C & 4425-C of 2018 in/&  
RSA No. 2102 of 2009 (O&M)  
Date of Decision : 26.03.2018**

Dalip Singh (since deceased) through his LRs.

....Petitioners

Versus

Major Singh

....Respondent

**CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. O.P. Hoshiarpuri, Advocate  
for the applicants-appellants.

Mr. S.K. Arora, Advocate  
for the respondent.

**Surinder Gupta, J. (Oral)**

**CM Nos. 4424-C and 4425-C of 2018**

These are the applications to place on record compromise as Annexure P-1 and to dispose of the main appeal in terms of that compromise.

Learned counsel for applicants-appellants submits that the matter has since been amicably settled as per compromise (Annexure P-1). Respondent-Major Singh, in whose favour the decree for specific performance of agreement was passed by Ist Appellate Court, has been paid the entire sale consideration with interest and he has given up his right to claim specific performance of agreement. The original compromise (Annexure A-1) has been signed/thumb marked by all the parties.

Learned counsel for respondent endorses the submissions of learned counsel for appellants and submits that the matter has since been amicably settled and he has no objection if the appeal is disposed of as per compromise (Annexure A-1) and the decree passed by Ist Appellate Court is

set aside.

In view of above, application (CM-4424-C-20118) to place on record compromise as Annexure A-1 is allowed and the same is taken on record, subject to all just exceptions. Application (CM-4425-C-2018) seeking disposal of the main appeal as per compromise (Annexure A-1) is also allowed and the main appeal, which is lying admitted, is taken up on board for disposal today itself.

**RSA-2102-2009**

In view of submissions of learned counsel for appellants and learned counsel for the respondent and keeping in view the fact that matter has since been amicably settled between the parties, the instant appeal is disposed of in terms of compromise deed (Annexure A-1). The decree passed by Ist Appellate Court is set aside. Parties will remain bound by the terms of compromise (Annexure A-1).

**March 26, 2018**  
jk

**( SURINDER GUPTA)**  
**JUDGE**

Whether speaking/reasoned      Yes/No

Whether reportable      Yes/No