

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

RSA No. 2227 of 2011(O&M)

Date of decision: 25.1.2018

Chamkaur Singh

....Appellant

VERSUS

Kulwant Singh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Ms. Paramjit Kaur, widow of late Chamkaur Singh in person
with Mr. D.S. Randhawa, Advocate.

Mr. Kulwant Singh, respondent in person with
Mr. Vinod Bhardwaj, Advocate.

REKHA MITTAL, J.(Oral)

CM No.9677-C of 2016

Prayer in this application is for bringing on record the legal
representatives of Chamkaur Singh – appellant (since deceased).

In view of averments made in the application supported by an
affidavit of Gurdarshan Singh, alleged son of Chamkaur Singh – appellant,
application is allowed and the persons mentioned in para 2 of the
application are ordered to be brought on record being the legal
representatives of deceased Chamkaur Singh, subject to just exceptions.

Disposed of accordingly.

Amended memo of parties is taken on record.

RSA No.2227 of 2011

Affidavits of Paramjit Kaur and Kulwant Singh filed in the
Court are taken on record.

Counsel for the appellant would state that all the class-I heirs
of deceased Chamkaur Singh have been brought on record as legal

representatives (in short 'LRs') of deceased – Chamkaur Singh. It is further submitted that in view of affidavits filed by Paramjit Kaur and Kulwant Singh, the present appeal may be disposed of. The LR's of Chamkaur Singh have got no objection if the amount of Rs.2,25,000/- to be paid by the respondent in discharge of obligation created under the agreement to sell, subject matter of the suit, is allowed to be paid to Paramjit Kaur, widow of the deceased.

Counsel for the respondent would agree that the appeal may be disposed of accordingly.

In view of the above, the appeal stands disposed of subject to the following:-

1. The appellant shall be entitled to recover an amount of Rs.2,25,000/- towards full and final settlement of claims of the appellant/plaintiff from the respondent.
2. Out of settled amount of Rs.2,25,000/-, an amount of Rs.1,25,000/- shall be remitted by the respondent in the Account of Ms. Paramjit Kaur bearing No.915010024921954 with Axis Bank Ltd. on or before 28.02.2018. The remaining amount of Rs.1,00,000/- shall be remitted in the said account on or before 31.05.2018.

No order as to costs.

The Court fee paid with the instant appeal is ordered to be refunded to the appellant (now represented by his LR's).

JANUARY 25, 2018

'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned :

yes/no

Whether reportable :

yes/no