

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

RSA No.850 of 2011 (O&M)

Date of decision: 20.02.2018

Khem Chand

.....Appellant

versus

Sh. Hawa Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Deepak Balyan, Advocate, for the appellant.

Mr. Rakesh Nehra, Advocate, for the respondents.

RAMENDRA JAIN, J. (ORAL)

Perusal of the file shows that during the pendency of this appeal, matter was referred to the Mediation and Conciliation Centre of this Court vide order dated 17.01.2017, before which the parties arrived at a written settlement/agreement on 06.04.2017. According to the said settlement, the appellant had promised and undertaken to vacate and handover the vacant possession of the disputed plot to the second party within a period of six months from the date of settlement, which period has expired on 05.10.2017.

Since even after remaining unsuccessful before both the Courts below, appellant has violated the terms and conditions of the settlement amicably arrived at by him with his own free-will and consent with the respondents, therefore, he is not liable to be even heard.

Accordingly, this appeal is dismissed with liberty to the respondents to file execution or contempt petition or both against the appellant.

February 20, 2018

R.S.

**(Ramendra Jain)
Judge**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No.