

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA-561-2012(O&M)

Date of Order:19.09.2018

Khushi Ram and another

..Appellants

Versus

Mam Raj and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Shubhashish Kukreti , Advocate, and
Mr. Deepak Verma, Advocate,
for the appellants.

Mr. S.M.Sharma, Advocate,
for respondent no.1.

ANIL KSHETARPAL, J (Oral)

This litigation is primarily between the father and son.
Appellant no.1 is son of defendant no.1, whereas appellant no.2 is wife of
appellant no.1, in other words, daughter-in-law.

During the course of arguments, learned counsel for the parties
have arrived at a consensus. As per orders dated 09.02.2012 and
10.03.2015, appellant no.1 was directed to pay mesne profit @ 3000/- per
month.

Counsel for the respondent-father has come up with a very fair
offer. He submits that if the appellants undertake to behave properly and
continue to pay Rs.3000/- per month to the father, he has no objection if the
appellants are permitted to reside in the premises in their possession.

Learned counsel for the appellants has also accepted the offer
made by learned counsel for respondent no.1.

Keeping in view the aforesaid facts, respondent no.1-father would supply details of his bank accounts, wherein the appellants shall be responsible to deposit Rs.3000/- per month as mesne profit for use and occupation of the premises in their possession by 5th of each month in advance. The appellants shall also file an affidavit in this regard undertaking to behave properly with respondent no.1 and never fight with respondent no.1-father before the trial court.

Keeping in view the consensus arrived at, the regular second appeal is disposed of on the agreed terms. The affidavit as required by the appellants be filed within a period of one month.

Liberty is also granted to respondent no.1-father to move an application for revival of the appeal, if there is any violation.

The misc. applications, if any, are disposed of in terms of the aforesaid judgment.

September 19, 2018
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No