

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

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**CM-5395-C-2018 in/and
RSA-1589-2015 (O&M)
Date of Decision : 10.10.2018**

Darshan Kaur and another Appellants
Versus

Manjit Kaur and another Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present :- Mr. Parveen Kumar, Advocate
for Mr. Harsh Aggarwal, Advocate
for the appellants.

Mr. Amit Jain, Advocate
for the respondents.

AJAY TEWARI, J. (ORAL)

On the last date the following order was passed in a
connected case being CM No.11980-C of 2018 in RSA No.2672-2015:-

“On 12.7.2018, the following order was passed in connected
RSA No.1589 of 2015 :-

*“ Counsel for respondent No.1 states that the matter is
being settled. The appellants have agreed that the
land of the deceased should be divided as per natural
succession but the parties want to further sort out this
dispute for ever and, therefore, they are also in the
process of partitioning the land. He prays for time to
move an application to enable respondent No.1 to
settle the dispute on behalf of minor-respondent No.2.
Adjourned to 2.8.2018.”*

Now the present application has been filed stating that a
compromise has been effected between the parties which is
for the benefit of the minor-Sukhdeep Singh. Having gone
through the compromise, I find that this is indeed so. It may
be mentioned here that it was the case of appellant that she
had inherited the property by way of Will, while it was
the case of the respondents that no Will was executed and,

therefore, the inheritance would go by natural succession. By the present compromise, the appellant has infact accepted the claim of the respondents but the parties have further gone and have partitioned the land amicably. For the reasons recorded, this application is allowed and applicant/appellant No.1-Manjit Kaur is allowed to compromise the matter on behalf of her minor son appellant No.2 also. Let the parties appear before the Additional Civil Judge (Sr. Division), Nakodar on 31.8.2018 to record their statements in support of their compromise. Registry is directed to detach the original compromise and return it to counsel for the appellants in RSA No.1589 of 2015 so that the same can be placed before the learned Civil Judge who will submit the report on or before the next date of hearing.”

Thereafter, the report has been received of the Additional Civil Judge (Sr. Division), Nakodar stating that the parties appeared before him and have submitted statement attesting to the correctness and validity of the compromise (Ex.C1) which is taken on record.

In the circumstances, the application as well as appeal stand disposed of in terms of the said compromise.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

October 10, 2018
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No