

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

208

RSA-2952-2014 (O&M)
Date of decision: 09.10.2018

ANGURI & ORS

... Appellants

Versus

PALE RAM & ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Vivek Singla, Advocate for the appellants.

Mr. R.S. Malik, Advocate for the respondents.

REKHA MITTAL, J. (Oral)

The present appeal directs challenge against judgment and decree dated 22.04.2014 passed by the Additional District Judge, Sonapat whereby appeal preferred by Murli @ Man Singh (since deceased) represented by his LRs/plaintiffs against the judgment and decree dated 19.09.2012 passed by the Additional Civil Judge (Sr. Div.), Ganaur (hereinafter to be referred as 'the trial Court') was accepted, judgment and decree dated 19.09.2012 passed by the trial Court were set aside and suit of the appellant/plaintiff was decreed with a direction to the respondents/defendants to hand over vacant possession of portion of suit plot marked with letters ABEF shown in red color by removing malba of rooms, kitchen and boundary walls to the plaintiff, within two months of passing of the judgment.

On 29.05.2014, notice of motion was issued and a relevant extract therefrom reads as follows:-

After arguing for some time, counsel for the appellants submits that since the appellants do not have any residence in the village and by virtue of the judgment and decree of the Appellate Court, they have to vacate the demised premises, therefore, he has prayed that notice may be issued to the respondents to explore the possibility of a compromise. He has submitted that he is ready to deposit the litigation expenses as the respondents would have to engage their counsel in this Court.

The matter was referred to the Lok Adalat, to explore possibility of an amicable settlement between the parties but the dispute could not be settled. On 12.01.2015, the case was adjourned at the request of counsel for the appellants that they are making another attempt before Panchayat. A relevant extract therefrom reads as follows:-

Notice had been issued on 29.05.2014 only to explore possibility of compromise between the parties. Status quo with regard to the property in dispute had been ordered. The matter was sent to Lok Adalat but no compromise had been arrived at between the parties.

Learned counsel for the appellants states that an adjournment may be given as they are making another attempt before Panchayat.

Again on 09.07.2015 and 03.05.2016, case was adjourned at the request of counsel for the appellants in order to enable them to settle the dispute. On 03.05.2016, last opportunity was provided to the appellants for exploring possibility of compromise between the parties.

Counsel for the respondents would inform that till date, no compromise has been effected between the parties. In the given scenario, nothing survives for consideration of this Court and accordingly, the appeal stands disposed of.

09.10.2018

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No