

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM 19119-CII-2016 in/ and
SAO 69-2016 (O&M)
Date of decision: 09.01.2018

Surinder Bhushan

.....Appellant

versus

Sadhu Ram deceased through LRs and another

.....Respondents

CORAM: Hon'ble Mr. Justice Kuldip Singh

Present: Mr. Parmod Chauhan, Advocate for the appellant

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

CM 19119-CII-2016

For the reasons mentioned in the application the same is allowed and delay of 16 days in filing the appeal stands condoned.

SAO 69-2016 (O&M)

Heard.

In a suit filed by Sadhu Ram etc. through his legal heirs against Gram Panchayat village Samora, for declaration a decree was passed by learned Civil Judge (Junior Division), Karnal on 1.6.2013 on the basis of the compromise. Present appellant Surinder Bhushan though not party to the civil suit filed Civil Appeal against the said judgment and decree, which was dismissed by learned Additional District Judge, Karnal vide judgment dated 10.5.2016.

Learned counsel for the appellant states that the Panchayat has

connived with the plaintiff and entered into the compromise. Present appellant is a proprietor of the village and has a right to intervene.

I am of the view that if the appellant has got any right, he can always challenge the compromise decree before the competent Court. However, his appeal was rightly dismissed by learned Additional District Judge, Karnal since he was not a party to the suit before the lower Court.

In view of the above, the present appeal stands dismissed. It is always open to the appellant to file a separate civil suit challenging the said decree.

09.01.2018

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned: Yes

Whether Reportable: No