

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

**R.S.A No.5933 of 2014(O&M)
Date of decision :03.08.2018**

Baljinder Singh

..... Appellant

Versus

Kapil Chhabra and others

..... Respondents

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Sandeep Khunger, Advocate
for the applicant-appellant.

Mr. Varun Dhawan, Advocate
for Mr. K.R.Dhawan, Advocate
for respondent no.1.

None for respondents no.2, 4, 5 and 6.

LISA GILL,J

CM-12001-C of 2018.

Compromise deed dated 20.11.2017 (Annexure A-1), is
taken on record subject to just exceptions.

Application is disposed of.

RSA no. 5933 of 2014.

Appellant has filed this appeal impugning judgment and
decree dated 05.09.2011 and 25.07.2014, passed by learned Addl. Civil
Judge (Sr. Division), Zira, and learned District Judge, Ferozepur,

respectively whereby suit for specific performance of agreement to sell dated 24.05.2002, filed by respondent no.1 (plaintiff) has been decreed.

Learned counsel for the appellant submits that during the pendency of this appeal, the matter has been amicably resolved between the parties. Respondent no.1 (plaintiff) has agreed to accept a sum of ₹3,50,000/- instead of enforcement of the decree in his favour for execution of the sale deed pursuant to agreement to sell dated 24.05.2002.

Learned counsel for respondent no.1 verifies the factum of settlement between the parties. It is affirmed that earnest money to the tune of ₹1 lakh was handed over by respondent no.1 to the appellant. A sum of ₹3,50,000/- has since been received by respondent no.1 and he has no objection, in case, this appeal is allowed. Respondent no.1 does not press for the specific performance of the agreement to sell dated 24.05.2002.

Keeping in view the facts and circumstances of the case and specifically the compromise arrived at between the parties, the present appeal is disposed of in terms of compromise dated 20.11.2017. Compromise deed dated 20.11.2017 (Annexure A-1), shall form part of the decree.

03.08.2018

s.khan

(LISA GILL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No