

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

**RSA No.3732 of 2017 (O&M)
Date of Order:26.02.2018**

Satbir and another

..Appellants

Versus

Satbir and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.P.Chahar, Advocate,
for the appellants.

Mr. Virender Kumar, Advocate,
for the respondents.

ANIL KSHETARPAL, J.

In the present case, the parties have entered into a settlement and a deed of compromise signed by the parties, which is counter signed by their respective counsels has been placed on file, which is marked "C".

Appellant No.1 and respondent no.1 are present in Court. They admit the correctness of the settlement arrived at between the parties. As per the settlement arrived at, it has been agreed that the plaintiffs shall pay a sum of Rs.30,000/- to the respondent by way of demand draft within a period of one month from today. Defendant shall be entitled to dismantle the structure upon the said encroached area of 80 sq. yds. and take away the debris/material. Defendant shall hand over the vacant possession of the said plot to the plaintiff within one month from the date of receipt of Rs.30,000/-

In the present case, since the dispute was between the neighbours, therefore, this Court had directed the revenue authorities to carry out demarcation. The aforesaid demarcation has been carried out and report dated 19.01.2018 has been submitted. As per the report, defendant-

respondent no.1 has encroached upon 80 sq. yds. As per the settlement, respondent no.1 would hand over the encroached area on receipt of Rs.30,000/-. The judgment and decree passed by the learned first appellate court shall stands modified and the deed of compromise filed today shall form part of the decree.

The regular second appeal stands disposed of accordingly.

February 26, 2018
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(ANIL KSHETARPAL)
JUDGE

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