

270-2

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

RSA No. 5058 of 2018 (O&M)
Date of Decision: 30.10.2018

Amar Singh (since deceased) through LRs

-Appellant

Vs

Tribhuvan Singh @ Triburan Singh (now deceased) through LRs
and another

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. M.K. Dogra, Advocate,
for the appellant.

Mr. S.D. Sharma, Sr. Advocate, with
Mr. Ved Priya Malik, Advocate,
for the respondents.

RAJ MOHAN SINGH, J. (ORAL)

Notice of motion was issued on 11.09.2018 by
passing the following order:-

*“Learned counsel for the appellant relies
upon pendency of RSA No.3996 of 2018.*

Notice of motion for 16.10.2018.

*Interim order in the same terms as passed
in RSA No.3996 of 2018.*

*To be heard along with RSA No.3996 of
2018.”*

In pursuance of the said order, Mr. S.D. Sharma, Sr. Advocate, with Mr. Ved Priya Malik, Advocate appeared on 16.10.2018 and the case was adjourned to 23.10.2018.

Learned senior counsel assisted by Mr. Ved Priya Malik, Advocate submitted that there is no possibility of amicable resolution of the dispute. Respondents are not agreeing for any such compromise which is sought to be projected by the appellant.

Since notice of motion was issued only for exploring possibility of compromise in view of construction raised by the appellant over the site in question, therefore, in view of stand taken by learned counsel for the respondents, this Court has no option but to dismiss the appeal.

Ordered accordingly.

30.10.2018
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No