

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

RSA No.5567 of 2017 (O&M)

Date of decision:19.11.2018

Swaran Singh and others

... Appellants

Vs.

Mohan Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Dinesh Mahajan, Advocate
for the appellants.

AMIT RAWAL J. (Oral)

As per previous order dated 06.09.2018, the report of Additional Civil Judge, Tarn Taran alongwith statement of appellant No.5 has been received. The aforesaid order reads as under:-

“Report of Additional Civil Judge, Tarn Taran has been received. As per the report, the statement of appellant No. 5 could not be recorded and similarly the statements of respondents No.5 to 13 had not been recorded.

Counsel for the appellants points out that as regards respondents No.4 to 6 and 12, they have already admitted the claim of the appellants in the main suit and the trial court also recorded the same. Further counsel for the appellants points out that no relief was sought or granted against respondents No.7 to 11 & 13 and therefore only the statement of appellant No.5 has

to be recorded. He further states that the appellant No.5 is stated to come on leave from his Army posting on or about 25.10.2018 and prays that one more opportunity may be granted for recording his statement.

I deem it appropriate to grant one opportunity to the appellant No.5. Consequently, the Additional Civil Judge, Tarn Taran is directed to record the statement of appellant No.5 – Satnam Singh on or before 26.10.2018 or on any other date as and when his presence is required as per his availability and send the report to this Court before the next date.

Adjourned to 19.11.2018.”

Learned counsel for the appellants submits that compromise (Annexure A1) has been arrived at between the parties and thus, urges this Court for withdrawal of the appeal.

In view of the above, the appeal is disposed of in terms of compromise. The compromise be made part of the order.

(AMIT RAWAL)
JUDGE

November 19, 2018
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No