

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

Date of decision : September 05, 2018

1. RSA No.689 of 2018 (O&M)
2. RSA No.878 of 2018 (O&M)

Satpal, deceased, through LRs vs Jiwan Kumar and another

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Harshit Jain, Advocate
for the appellants.

Mr. Munish Jolly, Advocate and
Mr. M.R Bhardwaj, Advocate
for the respondents.

Ajay Tewari, J (Oral)

This order shall dispose of both the Appeals.

These appeals have been filed against the concurrent judgments of the Courts below dismissing a suit filed by the appellant and decreeing a counter claim filed by the respondents.

After arguing for some time, the matter has been settled with the intervention of counsel for the parties. On the instructions of their respective clients, it has been agreed as follows :-

1. The appellants will not press this appeal on merits and will hand over the vacant possession of the premises in dispute to the respondents on or before 31.12.2019.
2. The appellants have undertaken that they would deposit the mesne profits (as has been determined by the trial Court in a

separate suit) upto 30.11.2018 on or before 3.12.2018 for disbursal to the respondents. On the same date, the appellants would also file an undertaking before the executing Court to the effect that they would hand over the vacant possession of the premises in dispute on or before 31.12.2019.

3. The appellants have further undertaken that they would continue to deposit the mesne profits from 1.12.2018 till 31.12.2019 before the executing Court by the 7th of every month in advance.

Counsel for the respondents has agreed to these terms.

These appeals stand disposed of in the above terms. It is made clear that in case the appellants fail to comply with the above terms, these appeals shall be deemed to have been dismissed.

Since the main cases have been decided, the pending C.Ms, if any, also stand disposed of.

September 05, 2018
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No