

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

229

CR-6690-2017(O&M)

Date of Decision : December 13, 2019

BANWARI SINCE DECEASED THROUGH HIS LRS AND ORS.

.....Petitioners

VERSUS

RATI RAM AND ORS.

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Gaurav Jaglan, Advocate for
Mr. Vikram Singh, Advocate
for the petitioners.

Mr. R.K.Chaudhary, Advocate for
Mr. Sukhdeep S. Parmar, Advocate
for respondent No.1.

NIRMALJIT KAUR, J. (Oral)

CM-20839-CII-2017

For the reasons mentioned in the application, the same is allowed subject to just all exceptions. The legal heirs of deceased Lehna Singh and Rameshwar as mentioned in para no.2 are ordered to be impleaded as such.

Amended cause title is taken on record.

Main case

The present revision petition has been filed by the petitioners for setting aside the order dated 21.8.2017 vide which the Executing

Court dismissed the objections of the petitioners and warrants of possession were issued and the construction at the spot was ordered to be demolished at the expenses of the decree holder.

While issuing notice of motion, the petitioners were directed to deposit Rs.1.5 lacs in the Registry of this Court which was ordered to be kept in a fixed deposit. The said amount of Rs.1.5 lacs has since been deposited.

When the matter was fixed for final arguments, learned counsel for the parties on instructions from their respective parties agreed that the present revision petition can be disposed of in view of the compromise arrived between the parties. Respondent No.1 agreed to accept the monetary compensation in lieu of the disputed area of land to which the petitioners, who are present in the Court readily accepted. It is agreed that the land over which the petitioners have raised construction shall now be transferred in the name of the petitioners in case lump-sum amount of Rs.1.75 lacs is paid. Rs.1.5 lacs has already been deposited. Learned counsel for the petitioners on instructions states that they are ready to pay the balance amount of Rs.25,000/-.

Accordingly, the revision petition is disposed of as under:-

- (a) The disputed area on which the petitioners have raised construction shall now stand transferred in their names;
- (b) The petitioners shall pay the balance amount of Rs.25,000/- to respondent No.1 by way of demand

draft in his name;

(c) Respondent No.1 shall take positive steps and co-operate the petitioners in transferring the disputed area in the name of the petitioners.

(d) The amount of Rs.1.5 lacs ordered to be deposited with the Registry and kept in a fixed deposit shall be disbursed to respondent No.1.

Both the parties are bound by the above settlement arrived between the parties.

December 13, 2019
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(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No