

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

**CM-10663-C-2019 in
RSA-3909-1998 (O&M)**

Date of decision: 24.09.2019

Prem Nath @ Prem Kumar (deceased) through LR's and others
...Appellants

Versus

Ramesh Kumar and another
...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Rishav Jain, Advocate, for
Mr. Arihant Jain, Advocate,
for the appellants.

Mr. Vaneet Garg, Advocate,
for respondent No.1.

JAISHREE THAKUR, J. (ORAL)

CM-10663-C-2019

This is an application that has been filed for withdrawing the appeal on the basis of the compromise dated 25.07.2011 (A-1).

Counsel for respondent No.1 has put in appearance and pleads no objection to the request made.

The application is allowed. Compromise dated 25.07.2011 is taken on record. The Regular Second Appeal which is lying admitted, is taken up for hearing today itself.

RSA-3909-1998

This is an appeal that has been filed seeking to challenge the judgment and decree dated 25.08.1995 whereby the suit filed by the

appellants for declaration and permanent injunction was decreed, however, in appeal the said finding was reversed. Aggrieved, this appeal has been filed.

Counsel for the appellants would submit that during the pendency of the appeal, matter has been compromised between the parties and the same has been placed on record as Annexure A-1.

In view of the aforementioned compromise dated 25.07.2011 Annexure A-1, counsel for the appellants does not want to proceed with the appeal and pray that the same may be dismissed as withdrawn on the basis of the compromise arrived at.

Dismissed as withdrawn in terms of the compromise Annexure A-1.

24.09.2019

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

No.

Whether reportable

No.