

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

**CR No.2981 of 2019(O&M)
Date of Decision: 16.12.2019**

Rana Shamsher Singh and others Petitioners

Versus

**Sohan Singh deceased through his LRs
.....Respondents**

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. G.S. Sirphikhi, Advocate
for the petitioners.

Mr. Ashdeep Singh, Advocate
for the respondent(s).

RAJ MOHAN SINGH, J.(Oral)

CM No.25391-CII of 2019

Prayer in this application is for impleading legal representative of deceased respondent Nos.(iii) and (iv) (c) namely Jagir Kaur daughter of Sohan Singh.

For the reasons mentioned in the application, the same is allowed. Legal representative of deceased respondent Nos. (iii) and (iv) (c) as shown in para No.2 of the application is

ordered to be brought on record subject to all just exceptions.

Amended memo of parties is also taken on record.

CM No.25393-CII of 2019

Prayer is to place on record compromise deed.

Learned counsel for the respondent(s) has no objection in case the same is allowed.

In view of above, application is allowed.

Accompanying document is taken on record.

Main case

[1]. Both the parties are *ad idem* that vide order dated 21.02.2015 passed by the High Court in CR No.3196 of 2010, order dated 19.04.2010 passed by the trial Court was set aside with a direction to the executing Court to decide the application under Order 9 Rule 7 CPC filed by the petitioners after reviving the execution proceedings. Thereafter, the application was dismissed by the executing Court vide order dated 16.01.2019, which has been assailed in the present revision petition.

[2]. Learned counsel for the parties jointly stated that during pendency of this revision petition, the subject matter of the suit itself has been compromised between the parties and the respondents have relinquished their claim to the property in question. Learned counsel for the parties are *ad idem* that this revision petition be disposed of by setting aside the orders

dated 18.01.2010 and 16.01.2019 passed by Civil Judge (Junior Division), Batala and the parties be relegated to the executing Court where they will press upon the compromise for deciding the /is amicably.

[3]. In view of consensus made by learned counsel for the parties, I deem it appropriate to accept this revision petition. Consequently, impugned orders are set aside. Both the parties would be at liberty to rely upon the compromise in question before the executing Court to get the suit decided.

16.12.2019

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**(RAJ MOHAN SINGH)
JUDGE**

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No