

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(1) RSA No.3252 of 2004(O&M)  
Dina Nath and others .....APPELLANT

Vs.

Krishna Devi & others .....RESPONDENTS

(2) RSA No.3250 of 2004(O&M)  
Dina Nath and others .....APPELLANT

Vs.

Krishna Devi .....RESPONDENT

**Date of Decision:20.08.2019**

**CORAM: HON'BLE MR. JUSTICE DR. RAVI RANJAN**

**Present:** Mr.Vikas Singh, Advocate for the  
applicants-appellants in both the appeals.

Mr.S.S.Rangi, Advocate &  
Mr.H.S.Tuli, Advocate for the respondents.

\*\*\*\*

**DR. RAVI RANJAN, J.(Oral Judgement)**

**CM No.10584-C-2019 in RSA No.3252 of 2004**

This application has been filed on behalf of the applicants-appellants for substituting the heir and legal representative of deceased/appellant No.11-Krishna Devi @ Kaki, wife of Mangat Rai, who is stated to have died on 02.10.2016, leaving behind her heir and legal representative fully described in paragraph No.2 of this application and there is no other legal representative except that.

Accordingly, this application is allowed subject to all just exceptions and the legal representative of the aforesaid deceased-appellant No.11 fully described in para No.2 of this application, is permitted to pursue the present appeal.

Amended memo of parties attached with this application is accepted and taken in record.

It is contended that Power of Attorney has already been filed on behalf of sole heir and legal representative of the deceased-appellant.

**CM No.10589-C-2019 in RSA No.3252 of 2004**

This application has been filed for placing on record the additional affidavit.

Application is allowed subject to all just exceptions. Affidavit of Raj Kumar son of Krishna Devi (since deceased) wife of Mangat Ram, is taken in record.

**RSA No.3252 of 2004(O&M)**  
**RSA No.3250 of 2004(O&M)**

Learned counsel for the appellants as well as respondents in both the appeals are present in Court today. Vide order dated 10.04.2019 passed by this Court, both the appeals were sent to the Mediation & Conciliation Centre of this Court for making an effort for amicable settlement between the parties.

In response thereto, a report of the Mediator dated 20.05.2019 in Mediation Case No.887 of 2019 has been placed on record on the file of RSA No.3250 of 2004. According to it, the parties have already settled their dispute by way of an amicable settlement. Settlement/compromise duly signed by the parties save and except appellant No.11 in RSA No.3252 of 2004, v.i.z, Krishna Devi @ Kaki, wife of Mangat Rai, who is stated to have died on 02.10.2016.

Application for impleadment of her sole heir and legal

representative has been moved and was fixed for today. An order, as aforesaid, has been passed stating that Krishna Devi @ Kaki, wife of Mangat Rai in RSA No.3252 of 2004, had died and her sole heir and legal representative has been impleaded as a party. The said sole legal representative of the deceased has also filed an affidavit accepting the terms and conditions of the compromise/settlement reached between the parties before the Mediator in the Mediation & Conciliation Centre.

Having regard to the aforesaid facts and circumstances of the case, both the appeals stand disposed of in terms of the compromise/settlement arrived at between the parties in the Mediation Case No.887 of 2019. Let the settlement/compromise form part of the decree. The Judgments and Decrees passed by the Court below stand set aside as the same would be replaced by the decree which would be passed by this Court in terms of the settlement.

Let a photocopy of this order be placed on the file of another connected case, i.e., RSA No.3250 of 2004.

**(DR. RAVI RANJAN)**  
**JUDGE**

20.08.2019  
Anjal

|                            |        |
|----------------------------|--------|
| Whether speaking/reasoned? | Yes/No |
| Whether reportable?        | Yes/No |