

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

FAO-M-122 of 2009 (O&M)

Date of decision: September 05, 2019

Balbir Singh

...Appellant

Versus

Kitabo Devi

...Respondent

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. B.S. Jaswal, Advocate for the appellant.
Mr. Ramesh Hooda, Advocate for the respondent.

Rajan Gupta, J.(oral)

Admittedly, settlement was arrived at between the parties before the Mediation and Conciliation Centre. Same was reduced into writing. Terms thereof are reproduced below:-

“On this day 03rd of June, 2016

WHEREAS

1. Disputes and differences had arisen between the parties hereto and a FAO No.M-122 of 2009 was filed before the Hon'ble High Court.
2. The matter was referred to Mediation and Conciliation Centre vide an order dated 19.02.2016 passed by Hon'ble High Court.
3. The parties agreed that Mr. Pawan Kumar Bansal, Mediator/ Advocate would act as their Conciliator/Mediator in the matter of Mediation and Conciliation proceedings.
4. Several meetings were held during the process of Conciliation/ Mediation and the parties have with the assistance of the Mediator/Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.
5. The parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement/Agreement in the presence of the Mediator/Conciliator.
6. That both the parties have stated in the presence of the

undersigned that the first party will withdraw this appeal pending in the Hon'ble High Court on the next date of hearing without any terms and conditions.

7. That the parties to this agreement hereby state that they have read the agreement, that they have understood the contents thereof and their execution of agreement is voluntary. Each party has relied upon or has had the opportunity to seek legal advice to their counsel.
8. The execution of this agreement, each signatory acknowledges receipt of fully executed duplicate/original of this agreement.
9. That it has been further agreed between the parties that in case of necessity, both the parties shall be free to present the copy of the above compromise before any authority or Court if the same is required to witness the execution of the compromise or to settle any pending controversy between the parties.

First Party

Sd/- Balbir Singh-First Party

Second Party

RTI/- Kitabo Devi-Second Party

Witness

Sd/- Narinder-Son of both the parties.

03.06.2016

Sd/-
(Pawan Kumar Bansal)
Mediator"

In view of above, counsel for the appellant submits that he may be allowed to withdraw the present appeal.

Dismissed as withdrawn.

(RAJAN GUPTA)
JUDGE

September 05, 2019
'Rajpal'

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No