

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH

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**CWP-26500-2016 &
CM-17534-CWP-2019**

Date of decision: 21.11.2019

SURINDER KAUR AND ORS.

...PETITIONERS

VS.

FINANCIAL COMMISSIONER, PUNJAB AND ORS.

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Harsh Bungar, Advocate,
and Mr. N.S.Sidhu, Advocate,
for the petitioners.

Mr. Charanpreet Singh, AAG, Punjab,
for respondents No. 1 and 2.

Mr. Sanjay Vij, Advocate,
for respondent No. 3.

Mr. S.S.Sarwara, Advocate,
for respondent No. 7.

Mr. Parvinder Singh, Advocate,
for respondents No. 12 to 15.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-17534-CWP-2019

Notice of the application to the counsel opposite.

Mr. Charanpreet Singh, AAG, Punjab, accepts notice on behalf of respondents No. 1 and 2. Mr. Sanjay Vij, Advocate, accepts notice on behalf of respondent No. 3 and Mr. Parvinder Singh, Advocate, accepts notice on behalf of respondents No. 12 to 15.

Counsel for the respondents have no objection to the prayer

made in the application.

In view of the above, the application is allowed subject to just exceptions. The compromise dated 31.10.2019 (Annexure P-10) along with the site plan (Annexure P-11) are taken on record.

CWP-26500-2016

Learned counsel for the petitioners states that in the light of the compromise, which has been entered into between the petitioners and respondents No. 7 and 9 dated 31.10.2019 (Annexure P-1), which has been placed on record today, the claim of the petitioners stands satisfied. He further points out that Kulvir Singh-respondent No. 7 and Sucha Singh-respondent No. 9 are present in Court.

Kulvir Singh-respondent No. 7 is identified by Mr. S.S.Sarwara and the counsel for the petitioners Mr. N.S.Sidhu identifies Mr. Sucha Singh-respondent No. 9 as also identifies the signatures of the petitioners.

Kulvir Singh-respondent No. 7 and Sucha Singh-respondent No. 9, who are present in Court, state that they have entered into a compromise with the petitioners and they have themselves signed the compromise deed. They further state that they have no objection in case the *Sanad Takseem* is amended according to the compromise which has been entered into between them.

It has further been brought to the notice of the Court by the counsel for the petitioners as well as counsel for respondent No. 3 that the shares of other parties are not affected in any manner as per the *Sanad Takseem*.

In view of the above, the present writ petition is disposed of in the light of the compromise dated 31.10.2019 (Annexure P-10) which has

been taken on record. *Sanad Takseem* dated 25.03.2013 (Annexure P-5) shall be modified/amended as per the compromise dated 31.10.2019 (Annexure P-10) by the competent authority within a period of three months from the date of receipt of copy of the order. This time is being given to carry out the necessary changes in the *Naksha Zeem*/relevant partition papers.

It is clarified that the shares and the rights of the non-compromising parties will remain unaffected in any manner because of the compromise which has been entered into between Kulvir Singh-respondent No. 7, Sucha Singh-respondent No. 9 and the petitioners, namely, Surinder Kaur, Gagandeep Kaur and Amandeep Kaur.

Writ petition stands disposed of accordingly.

November 21, 2019

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No