

CM-5105-06-C-2019 and
CM-5209-C-2019 and
CM-5853-C-2019 and
Regular Second Appeal No. 1433 of 2011
Date of decision : May 06, 2019

Lakhwinder Kaur

.....Appellant

Versus

Joga Singh

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. P.K. Ganga, Advocate
for the applicant-appellant.

Mr. Tarun Sharma, Advocate for
Mr. P.S. Jammu, Advocate
for the applicant/LRs.

LISA GILL, J.

CM-5853-C-2019

Photocopy of death certificate of the respondent – Joga Singh
is taken on record subject to just exceptions.

Application is disposed of.

CM-5209-C-2019

Prayer in the application is for impleading the legal
representatives of the respondent – Joga Singh.

For the reasons mentioned in the application, legal
representatives of deceased – respondent, as mentioned in para 2 of the
application, are brought on record for the purposes of this appeal and
subject to just exceptions.

Amended memo of parties is taken on record.

Application is disposed of accordingly.

**CM-5105-06-C-2019 and
RSA-1433-2011**

Prayer is for final disposal of the regular second appeal in terms of compromise dated 30.03.2019 (Annexure A-1) arrived at between the appellant and the legal representatives of respondent – Joga Singh, who passed away on 24.05.2017.

Notice of the applications.

Mr. Tarun Sharma, Advocate for Mr. P.S. Jammu, Advocate accepts notice on behalf of the non-applicant/respondent/his legal representatives.

Learned counsel for the applicant submits that the matter has been amicably resolved between the parties. Both the learned courts below had dismissed the suit for possession by way of specific performance filed by the plaintiff – appellant. It has now been decided between the parties that the property in question shall be sold to one Anoop Singh son of Mehar Singh. The sale consideration shall be shared by the parties to the extent of 45% towards the applicant- appellant and 55% towards the respondents/legal representatives of the respondent.

Learned counsel for the non-applicant/respondent affirms and verifies the factum of compromise between the parties and submits that the said legal representatives of the respondent do not have any objection whatsoever in case the said appeal is disposed of in terms of the compromise between the parties.

With the consent of learned counsel for the parties, appeal is taken up for hearing for today itself.

Applications are allowed.

Consequently, present appeal is disposed of in terms of compromise dated 30.03.2019 (Annexure A1). Needless to say, compromise dated 30.03.2019 (Annexure A1) shall form part of the decree.

May 06, 2019
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No