

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

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Date of decision: 02.04.2019

RSA 4816 of 2011 (O&M)

Gurcharan Singh and others

.....*Appellants*

Versus

Netar Singh and another

.....*Respondents*

RSA 2879 of 2012 (O&M)

Dharam Singh and another

.....*Appellants*

versus

Netar Singh and another

.....*Responodents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. R K Shukla, Advocate
for the appellants (RSA 4816 of 2011)

Mr. Arun Jindal, Advocate
for the appellants (RSA 2879 of 2012)

Mr. L S Bhangu, Advocate
for respondent No. 1

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Rekha Mittal, J. (Oral)

This order will dispose of aforesaid appeals as identical questions of law and fact are involved for adjudication.

Affidavit of Netar Singh-respondent No. 1 filed in the Court today is taken on record.

Counsel for respondent No. 1 would state that the appeals may be disposed of, in view of agreement arrived at between the parties that the appellants would pay a sum of Rs.16.5 lakh to Netar Singh qua land in dispute, subject matter of both the appeals and judgments and decrees

passed by the Courts may be set aside. He would further state that Netar Singh would take recourse to appropriate proceedings in law for recovery of Rs.60,000/- that finds reference in para 2 of affidavit dated 29.03.2019 of Netar Singh.

Counsel for the appellants would state that, in terms of affidavit of the appellants filed on the last date of hearing, the appellants in both the appeals shall pay Rs.16.5 lakh to Netar Singh-respondent No. 1 on or before 28.05.2019. Counsel would further state that in addition to setting aside the judgments and decrees passed by the Courts, sale deeds in question executed in favour of the appellants by Netar Singh may be held valid and binding against Netar Singh.

Counsel for respondent No. 1 (Netar Singh) has got no objection.

In view of the above, the appeals stand disposed of. Judgments and decrees passed by the Courts are set aside subject to the condition that the appellants in both the appeals shall pay Rs.16.5 lakh to Netar Singh by way of demand draft on or before 28.05.2019. The sale deeds executed in favour of the appellants by Netar Singh, subject matter of the appeals, shall remain valid for all intents and purposes subject to payment of Rs.16.5 lakh, within the stipulated period. In case the appellants fail to pay Rs.16.5 lakh in the aforesaid terms, the appeals shall be deemed to be dismissed. The parties are left to bear their own costs.

(Rekha Mittal)
Judge

02.04.2019
Mohan Bimbura

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