

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

RSA No.2051 of 2017(O&M)
Decided on:15.07.2019

Raj Bala

.....Appellant

versus

Veena Rani and others

....Respondents

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

Present: Mr.Raj Kapoor Malik, Advocate,
for the appellant.

Mr.B.S.Bedi, Advocate,
for the respondents.

DR.RAVI RANJAN, J. (Oral Judgement)

CM-4932-C-2017

This application has been filed for condoning the delay of 8 days
which has occurred in filing the appeal.

Heard.

Having regard to the submissions made in the application, the
same is allowed and the delay of 8 days in filing the appeal is hereby
condoned.

RSA-2051-2017 (O&M)

Learned counsel for the appellant-Raj Bala has informed this
Court that as per report 30.04.2018 of Mr.Arun Kumar Bakshi, Mediator,
Mediation and Conciliation Centre, the parties have settled their dispute
by way of amicable settlement/ agreement in the present second regular
appeal.

I have perused the report of the Mediator dated 08.05.2018 which has been kept at Flat 'A'. It appears that the appellant as well as the plaintiff/respondents no.1 to 5 have already settled their matter. Settlement Agreement has been signed by the parties. It is to be noted here that considering the nature of dispute, a co-ordinate Bench of this Court vide order dated 30.01.2018 issued notice of motion only to respondents no.1 to 5, i.e the plaintiffs/respondents and not to the proforma respondents. Subsequently, vide order dated 19.03.2018 the matter was referred to Mediation and Conciliation Centre for exploring the possibility of settlement between the parties who were directed to appear before the Mediation and Conciliation Centre on 26.03.2018. Thereafter, the parties reached to settlement before the Mediator.

In the result, under the provisions of Order 23 Rule 3 of the Code of Civil Procedure Code 1908, this Court is of the opinion that the suit has been compromised between the concerned parties by lawful agreement.

In the result, the Judgment and decree of the trial Court is set aside in part *qua* appellant-Raj Bala and, Judgment and decree passed by First Appellate Court is set aside.

The Settlement Agreement reached between the parties before the Mediator would form part of the decree.

Disposed of.

July 15, 2019
dharamvir

(DR. RAVI RANJAN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No