

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

**RSA No.198 of 2018 (O&M)
Date of Decision : 16.11.2019**

Inder Singh and others

.....Appellants

Versus

Dinesh Jain and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr.L.S.Sidhu, Advocate for the appellants.

Mr. Shalender Mohan, Advocate for
Mr. D.P.S.Bajwa, Advocate for respondent No.2.

ARUN PALLI, J. (Oral)

Suit filed by the respondents-plaintiffs was decreed by the trial Court and as even the appeal preferred against the said decree failed and was dismissed on 05.03.2013, the appellants-defendants are before this Court in Regular Second Appeal.

Records show that during the pendency of the appeal the matter was compromised by the appellants with respondent/plaintiff No.2, vide compromise deed dated 02.01.2019 (Annexure R2/A). And, on 30.01.2019, the matter was adjourned on the request of the counsel for the appellants to seek instructions if the dispute was settled even with respondent No.1.

Learned counsel for the appellants informs that even qua respondents/plaintiff No.1 the dispute has since been settled and nothing

substantive survives in this appeal, but written instructions/settlement deed was still awaited.

In the wake of the above, the appeal is disposed of as having been rendered infructuous. However, if any dispute, interest or cause of action still survives, the appellants shall be at liberty to move an appropriate application for restoration of the appeal and its decision on merits. Let a copy of the compromise/settlement deed or an affidavit of appellants and defendant No.1 acknowledging the settlement be filed within six weeks.

16.11.2019
Manoj Bhutani

(ARUN PALLI)
JUDGE

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