

**102+207**

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

RSA No. 6228 of 2014 (O&M)

Date of Decision: 20.05.2019

Mohinder Singh (since deceased) through LRs

-Appellants

Vs

Balbir Singh and others

-Respondents

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Amit Jain, Advocate, and  
Mr. Chetan Salathia, Advocate,  
for the appellants.

Mr. Puneet Jain, Advocate, for  
Mr. Rakesh Gupta, Advocate,  
for the respondents.

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**RAJ MOHAN SINGH, J. (ORAL)**

**CM No.6581-C of 2019**

This is an application under Order 22 Rule 3 read with Section 151 CPC for disposal of the appeal in terms of compromise dated 01.05.2019.

According to the terms of the compromise, after demise of appellant namely Mohinder Singh during pendency of the appeal, his legal representatives are agreed to execute sale deed in respect of 23K-7M of land in favour of respondents namely Balbir Singh, Dalbir Singh and Sube Singh sons of Jagda Ram or in favour of any other person i.e. assignee of

their own choice @ Rs.5,50,000/- per acre as was mentioned in the agreement dated 01.09.2004 after receiving remaining sale consideration and after adjusting the earnest money of Rs.2,50,000/-.

As a result of that, respondents i.e. Balbir Singh etc. will relinquish their right over the remaining land measuring 43K-11M. Legal representatives of deceased-appellant will hand over vacant possession of 23K-7M of land as shown in the compromise and withdraw the appeal accordingly.

The compromise has been signed by both the parties in presence of the witnesses. In support of the compromise, Jasbir Singh one of the son of deceased-appellant has filed the affidavit. On behalf of the respondents, Sube Singh son of Jagda Ram has filed the affidavit dated 20.05.2019 which is taken on record.

Legal representatives of deceased-appellant have also undertaken that one of the legal representative namely Jaspal Singh who is presently living in Portugal could not sign the compromise deed, yet he has given oral consent to the present compromise as the right of the appellants are common and not adverse to each other.

Legal representatives of the deceased-appellant except Jaspal Singh have undertaken that in case of any

dispute at the instance of aforesaid Jaspal Singh, they will give him his complete share out of 43K-11M.

**Main case**

In view of consensus arrived at between the parties, this appeal is allowed to be disposed of in terms of compromise (Annexure C-1).

The compromise shall form part of the decree.

20.05.2019  
*Jyoti Yadav*

**(RAJ MOHAN SINGH)**  
**JUDGE**

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No