

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

**CWP-1542-2020 (O&M)**

**Date of Decision : November 12, 2020**

**Kulbir Singh and another**

**..... PETITIONER(S)**

**VERSUS**

**State of Punjab and others**

**.... RESPONDENT(S)**

**CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR**

Present: Mr. Deepak Gupta, Advocate, for the petitioners.  
Ms. Anju Arora, Additional Advocate General, Punjab.  
Mr. Mukesh Singla, Advocate, for respondents No.4 & 5.

...

**Sanjay Kumar, J.**

**CM-12000-2020**

This application is ordered and Annexures R-8 and R-9 are taken on record.

**CWP-1542-2020**

Challenge in this writ petition is to the order dated 14.12.2017 passed by the Sub Divisional Magistrate, Derabassi, whereby the sale deeds bearing Nos.3477 and 2867 dated 23.12.2015 and 03.10.2017 respectively, were cancelled. The subsequent order dated 03.12.2019 passed by the

learned Additional District Magistrate, SAS Nagar, directing the petitioners to vacate the premises within a time frame is also assailed.

While so, it appears that the petitioners and respondents No.4 and 5 herein entered into a settlement and reduced the same to writing by way of 'Mutual Compromise and Agreement dated 02.09.2020'. It is significant to note that respondents No.4 and 5 are the parents of the Ist petitioner while the 2<sup>nd</sup> petitioner is the wife of the Ist petitioner. In terms of the compromise, the 4<sup>th</sup> respondent agreed to retain the plot and give a sum of ₹11 lakh to the Ist petitioner, his son. Out of this amount, ₹3 lakh was to be given on 18.09.2020 and a sum of ₹7 lakh was to be given on 05.11.2020. On the said date, the petitioners were to vacate the house of the 4<sup>th</sup> respondent. The balance amount of ₹1 lakh was to be given by the 4<sup>th</sup> respondent to the Ist petitioner, his son, when he laid the lintel of his new house.

Annexures R-8 and R-9 have been produced in proof of the payment of the amounts of ₹3 lakh and ₹7 lakh as per the terms of the compromise.

Mr. Deepak Gupta, learned counsel for the petitioners, would also inform this Court that the petitioners vacated the house of the 4<sup>th</sup> respondent on 05.11.2020, as promised. He would further state that only the sum of ₹1 lakh remains to be paid and this would be on the date the Ist petitioner laid the lintel of his new house. Learned counsel would state that in the light of these developments, the cause in this writ petition no longer survives for consideration on merits.

Recording the statement of the learned counsel as set out

*supra* and the developments that have taken place, this writ petition is disposed of confirming the order dated 14.12.2017 passed by the Sub Divisional Magistrate, Derabassi. Liberty is however given to the petitioners to seek revival of the writ petition in the event the balance payment of ₹1 lakh is not made on the date fixed for that purpose.

No order as to costs.

November 12, 2020  
Kang

( Sanjay Kumar )  
Judge

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |