

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CM Nos.5008 & 5011-C of 2020 in/and
RSA No.1445 of 2004
DATE OF DECISION:28.10.2020

Santosh Kumari

... Appellant

Versus

Ruhani Surat Shabad Satsang Ghar

... Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shailender Jain, Senior Advocate with
Mr. Sidharth Goyal, Advocate
for the applicant-appellant.

Mr. Sandeep Arora, Advocate
for respondent No.1.

HARSIMRAN SINGH SETHI, J. (ORAL)

CM No.5008-C of 2020

The present application has been filed to bring on record the legal representatives of appellant Smt. Santosh Kumari (since deceased), who unfortunately died on 10.02.2020.

Notice of the application.

Mr. Sandeep Arora, Advocate accepts notice on behalf of respondent No.1 and raises no objection for the grant of the prayer as made in the present application.

Keeping in view the above, the legal representatives of deceased Smt. Santosh Kumari, details of whom have been given in

para 2 of the application, are brought on record.

CM No.5011-C of 2020

The present application has been filed for disposing of the present appeal in terms of the compromise dated 17.09.2020 arrived at between the parties, which has already been placed on record in connected appeal bearing RSA No.1612 of 2004, which has already been disposed of on 12.10.2020 on the basis of the said compromise.

Notice of the application.

Mr. Sandeep Arora, Advocate accepts notice.

Keeping in view the request of the parties, the hearing of the main RSA is preponed for today and the same is taken up for hearing.

RSA No.1445 of 2004

Learned Senior counsel appearing on behalf of the appellant submits that respondent No.1 is the only contesting respondent and respondents No.2 to 17 are perfunctory respondents and the appeal is not pressed against respondents No.2 to 17 and the same may be disposed of having been withdrawn qua respondents No.2 to 17.

Ordered accordingly.

Learned Senior counsel further submits that the parties have already compromised their disputes vide compromise dated 17.09.2020 and on the basis of the said compromise, a connected RSA No.1612 of 2004, has already been disposed of in terms of the said compromise. Learned Senior counsel for the appellant further

submits that the present appeal may also be disposed of in terms of

the compromise dated 17.09.2020 by exercising powers under Order 23 Rule 3 of the CPC.

Learned counsel appearing on behalf of respondent No.1 does not dispute the above recorded averments. Learned counsel for respondent No.1 submits that respondent No.1 has no objection in case the present appeal is also disposed of in terms of the compromise dated 17.09.2020, as done in the connected RSA being RSA No.1612 of 2004.

Counsel for the parties further submits that none of the signatories to the compromise are minor and all the signatories to the compromise dated 17.09.2020, have arrived at the compromise with their free will and without any coercion or pressure from anyone and the parties are ready to execute the said compromise by performing their respective parts as envisaged in the said compromise.

Keeping in view the joint request of the parties, the present appeal is also disposed of in terms of the compromise dated 17.09.2020 (which is already on record in RSA No.1612 of 2004 placed vide CM No.4942-C-2020).

October 28, 2020
jt/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

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