

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

Date of Decision: February 28, 2020

1. RSA 1636 of 2013 (O&M)

Nirmla Devi etc.Appellants

Vs.

Pawan Kumar etc. ..Respondents

2. RSA 1644 of 2013 (O&M)

Nirmla Devi etc.Appellants

Vs.

Pawan Kumar etc. ..Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU.

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Present:- Mr.Pawan Kumar, Advocate for
Mr. Nitin Thatai, Advocate for the appellants.

Mr.Rajan Bhargava, Advocate for
Mr. Vishal Aggarwal, Advocate for the respondents.

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MAHABIR SINGH SINDHU, J.

CM 9596-C of 2019

Application for exemption from filing certified copies of annexures A-1 to A-4 and to file true typed and translated copies thereof, is allowed as prayed for, subject to all just exceptions.

CM 9597-C of 2019

This is an application for impleading the LR's of appellants No.1 and 2.

Notice of the application to counsel opposite.

Mr. Rajan Bhargava, Advocate, who is present in Court, accepts notice. Copy given.

For the reasons mentioned in the application which is supported by an affidavit of one of the LRs of appellant No.1, the same is allowed. Legal representatives of appellants No.1 and 2 as mentioned in para 2 of the application are ordered to be impleaded as LRs of appellants No.1 and 2, to pursue the present appeal only.

Amended memo of parties is permitted to be taken on record.

Registry to do the needful.

RSA 1636 of 2013

This order will dispose off two appeals bearing RSA No.1636 and 1644 of 2013, but the facts are being taken from RSA No.1636 of 2013.

Present appeals have been filed under Section 100 CPC for setting aside the impugned judgment and decree dated 29.11.2012 passed by Additional District Judge, Ludhiana, whereby the order 23.07.2011 passed by learned Civil Judge (Junior Division), Ludhiana, decreeing the suit of the plaintiffs- respondents was affirmed.

This Court, on 06.05.2019, passed the following order:-

“Learned counsel for the parties submit that they wish for an amicable resolution of the dispute.

Accordingly, this matter be placed before the Mediation and Conciliation Centre of this Court.

Parties are directed to appear before the Mediator on 15.05.2019.

List on 28.08.2019 to await the report of the Mediator.

A photocopy of this order be placed on the file of the connected case mentioned above.”

In terms of the above order, parties appeared before the Mediator and the matter has been amicably settled. Report of the Mediator is received and relevant part of the same reads as under:-

“(iii) It has been further agreed between the parties that the first party shall pay a sum of Rs.5,00,000/- (Rupees Five Lakhs) to the second party by way of four instalments by way of electronic transfer in the saving bank account of State Bank of India, Saaban Bazar, Ludhiana, bearing account No.65270871894 with IFS Code SBIN 0050073 SWIFT.”

As per condition No. (iii) of para 6, first party i.e. the appellants were under obligation to pay an amount of Rs.5 lacs to the respondents/ plaintiffs and this fact is acknowledged by both sides that said amount has already been paid. Also jointly stated that no grievance is left against each other. Consequently, learned counsel appearing for both sides have agreed to dispose off the present appeals in terms of the compromise entered into between the parties.

Since the matter has been amicably settled, therefore, both the appeals are disposed off in terms of the settlement referred above.

It is clarified that both sides will abide by the terms and conditions of the settlement and, in case there is any breach, necessary legal consequences shall follow.

Ordered accordingly.

February 28, 2020
sanjay

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/ reasoned:	Yes/ No.
Whether Reportable:	Yes/No.