

CM-5181-C-2020 in/and
RSA-2982-2016 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(102) CM-5181-C-2020 in/and
RSA-2982-2016 (O&M)
Date of Decision : 09.11.2020

RAM MURTI & ANR

...Petitioners

Versus

KALA SINGH & ORS

.....Respondents

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Vijay Sharma, Advocate for the appellants.

Mr. Ashish Gupta, Advocate for respondent No. 1.

Mr. Pankaj Bains, Advocate for respondents No. 3 and 4.

Harsimran Singh Sethi, J. (Oral)

CM-5181-C-2020

Present application has been filed by the applicant-appellants for preponing the date of hearing of RSA No. 2982 of 2016 as well as CM No. 4952-C-2020, which now stand adjourned to 21.01.2021.

Learned counsel for the applicant-appellants submits that the parties have already compromised their dispute and an application was filed for disposing of the main appeal keeping in view the compromise effected between the parties and the said application now stands adjourned to 21.01.2021 and the delay in disposing of the appeal is causing prejudice to the parties.

Notice of the application to the counsel opposite.

Mr. Ashish Gupta, Advocate, who has joined the proceedings through video conference, accepts notice on behalf of the respondent No. 1 and Mr. Pankaj Bains, Advocate, who has also joined the proceedings through video conference, accepts notice on behalf of respondents No. 3 and 4. Learned counsel appearing on behalf of respondents No. 1 as well as respondents No. 3 and 4 do not raise any objection for preponing the hearing of the date of RSA No. 2982 of 2016.

Keeping in view the above, the application is allowed, as prayed for by the parties, RSA No. 2982 of 2016 as well as CM No. 4952-C-2020 are taken up on Board for hearing today itself.

CM-4952-C-2020 and RSA No. 2982 of 2016

Learned counsel for the appellants submits that the parties have already entered into a compromise on 21.09.2020 and the said compromise has already been placed on record as Annexure A-4, filed with the present application.

Notice of the application was already given to the counsel opposite.

Mr. Ashish Gupta, Advocate had accepted notice on behalf of respondent No. 1. Mr. Pankaj Bains, Advocate appears on behalf of respondents No. 3 and 4. Respondent No. 2, who is the mother of the appellant as well as private respondents No. 3 and 4 and has unfortunately died, is being represented by her legal heirs, who are already on record as appellant as well as private respondents No. 3 and 4.

Learned counsel appearing on behalf of respondent No. 1 as well as respondents No. 3 and 4 do not dispute the settlement arrived at between the

parties on 21.09.2020.

Learned counsel for the parties submit that the said settlement has been arrived at without any pressure or any coercion and the said settlement has been executed with free will so as to bury the hatchet and live peacefully henceforth. Learned counsel for the parties submits that the present appeal may be disposed of in terms of the compromise dated 21.09.2020 (Annexure A-4) with CM No. 4952-C-2020.

Keeping in view the above, the present RSA No. 2982 of 2016 is disposed of in terms of the compromise dated 21.09.2020 (Annexure A-4) (CM No. 4952-C-2020).

Let the compromise be also made part of the decree sheet to be prepared in terms of this order.

RSA No. 2982 of 2016 is disposed of accordingly.

November 09, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

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