

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

RSA-140-1989(O&M)

Date of Decision :-22.12.2021

Balbir Singh and others

.....Appellants

Versus

Har Chand @ Chand Singh (since deceased) through his LRs

.....Respondent

CORAM:- HON'BLE MR. JUSTICE H.S. MADAAN

Present: Mr.J.S. Mehndiratta, Advocate
for the appellants.

Mr.I.S. Pabla, Advocate
for the respondent.

H.S.MADAAN, J. (ORAL)

CM-5651-C-2021

This is an application filed on behalf of the
applicant/appellants for placing on record affidavit of appellant No.1.

The application is allowed, as prayed for and affidavit
of appellant No.1 is taken on record, subject to all just exceptions.

CM-6136-C-2021

This is an application filed on behalf of respondent
for placing on record affidavit of respondent No.1.

The application is allowed, as prayed for and affidavit of respondent No.1 is taken on record, subject to all just exceptions.

CM-4589-C-2021

The parties have entered into a settlement. The instant application has been filed on behalf of the appellants for disposing of the appeal in view of the mutual settlement arrived at between the parties, copy of which being Annexure A-1. The terms and conditions of settlement are not clear from Annexure A-1. Nevertheless in the application filed on behalf of the appellants and prayer made in that regard by learned counsel for the appellants, the parties have decided to abide by the decree passed by learned Additional District Judge, Ambala on 7.11.1988 and possession of land in terms of the decree has been handed over to Swaran Singh – respondent, which means that the parties have accepted the decree passed by learned Additional District Judge, Ambala and have acted upon it.

It being so, the challenge to such judgment and decree by appellants Balbir Singh and others has lost force and the present appeal has become infructuous.

On the oral request of learned counsel for the parties, RSA-140-1989 is taken up on board today itself.

RSA-140-1989(O&M)

Under the circumstances, the present appeal is dismissed being infructuous in view of the settlement arrived at between the parties.

Since the main appeal stands dismissed being

infructuous, the miscellaneous applications if any, stand disposed of accordingly.

22.12.2021

(H.S.MADAAN)

Brij

JUDGE

Whether reasoned/speaking :

Yes/No

Whether reportable :

Yes/No