

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

CM-4251-C-2021 in/and
RSA-3801 of 2006 (O&M)
Date of decision: 09.12.2021

Jarnail Singh and others

...Appellants

Versus

Parkash Chand since deceased thr. LRs and others

...Respondents

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

Present: Mr. Ramesh Goyat, Advocate
for the applicant/appellants.

Mr. Puneet Sharma, Advocate for the respondents.

H.S. MADAAN, J. (Oral)

CM-4251-C-2021

This is an application filed on behalf of the respondents for disposal of the appeal in view of the settlement dated 17.09.2021 arrived at between the parties during the pendency of the appeal. Copy of the settlement has been attached with the application as Annexure A-4.

Inter alia, it is mentioned that the present appellants have already been paid an amount of Rs.5 lacs to the opposite party, whereas, the remaining amount of Rs.30 lacs would be paid before this Court at the time of final disposal of the case in terms of the settlement. Accordingly, learned counsel appearing for appellants has handed over two demand draft in the sum of Rs.15 lacs each dated 08.12.2021 drawn on Capital Small Finance Bank, Branch Nawanshahr in the name of Sh. Rajinder Paul, power of attorney holder of the respondents to learned counsel appearing for the respondents.

Learned counsel for the respondents states that he has no objection if the main appeal is accepted.

Accordingly, the present application is allowed.

Main Case

In view of the written settlement between the parties, the judgment passed in Civil Appeal 02 of 04.01.2005 decided on 05.08.2006 titled as Parkash Chand etc. Vs. Jarnail Singh etc., by Addl. District Judge, Rupnagar is set aside and judgment and decree passed by Addl. Civil Judge (Sr. Divn.) Sri Anandpur Sahib in Civil Suit No.11 of 11.06.1995 decided on 15.12.2004 titled as Jarnail Singh etc. Vs. Parkash Chand etc., declaring plaintiffs to be owner in joint possession of the suit land by virtue of sale deed Ex.P1 and Will Ex.P2 are restored.

Disposed of.

09.12.2021

sumit.k

**(H.S. MADAAN)
JUDGE**

Whether speaking/reasoned :

Yes No

Whether Reportable :

Yes No