

**205 IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH**

**CM No. 2457-C-2021 in/and  
RSA No. 2528 of 2013 (O&M)  
Date of Decision: 01.11.2021.**

Kewal Singh .....Appellant  
Versus  
Beant Singh .....Respondent

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

Present: Ms. Harveen Kaur, Advocate,  
for the applicant-appellant.

Mr. P.C. Dhiman, Advocate,  
for non-applicant/respondent.

**MAHABIR SINGH SINDHU. J.**

Present regular second appeal has been filed against the impugned judgment and decree dated 01.08.2011 passed by Additional Civil Judge (Senior Division), Kharar and judgment and decree dated 05.04.2013 passed by Additional District Judge, SAS Nagar (Mohali), whereby suit for possession by way of specific performance of agreement to sell dated 23.02.2001 filed by appellant/plaintiff (Kewal Singh) was decreed partly to the extent of refund of earnest money along with interest.

2. Plaintiff (Kewal Singh) preferred an appeal before the learned First Appellate Court whereas, defendant (Beant Singh) filed cross-objections. The appeal as well as cross-objections were dismissed vide judgment and decree dated 05.04.2013 passed by Additional District Judge, SAS Nagar, Mohali.

3. Now, the plaintiff/appellant (Kewal Singh) has filed the present appeal whereas connected RSA No. 487 of 2014 is at the instance of defendant (Beant Singh).

4. During pendency of appeals, matter has been settled by the parties at their own level. After recording the statements of both sides, report dated 10.08.2021

is submitted by Additional Civil Judge (Senior Division), Kharar and the operative part of the same reads as under:-

*“In compliance with the aforesaid order, parties appeared on 05.08.2021 and defendant Beant Singh got recorded his statement stating that the matter has been compromised with the plaintiff Kewal Singh as per compromise dated 16.07.2021 is Ex.D-1, which bears his signatures and the signature of plaintiff. He further stated that he has no objection if the suit of the plaintiff be decided as per compromise. Plaintiff Kewal Singh also got recorded statement that he has heard the statement of defendant Beant Singh and also admit his signatures on compromise Ex.D1 (original already submitted by the plaintiff in the Hon’ble Punjab and Haryana High Court, Chandigarh). This Court is satisfied that aforesaid statements made by plaintiff and defendant are voluntarily and without any threat or any undue influence. Report along with copies of statements and compromise Ex.D1 is hereby sent to your good-self office in compliance to the order of Hon’ble High Court.”*

5. Even before this Court also, both sides acknowledged that matter has been settled in terms of the compromise dated 16.07.2021 which was produced before the learned Additional Civil Judge (Senior Division), Kharar as Ex.D1. As a result thereof, present appeal is disposed off in terms of the aforesaid compromise dated 16.07.2021. The compromise shall form part of the decree to be drawn by the Registry.

6. Disposed off.

7. Pending application(s), if any, shall also stand disposed off.

01.11.2021.

SN

(MAHABIR SINGH SINDHU)  
JUDGE

**Whether speaking/reasoned : Yes/No**

**Whether Reportable: Yes/No**