

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(226) CM-753-C-2021 & CM-754-C-2021 in/&
RSA-2039-2017
Date of Decision: April 20, 2021

Kuldeep Kaur

.. Appellant

Versus

Jagir Kaur and others

.. Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Krishan Kumar Thakur, Advocate, for the appellant.

Mr. Tapish Gupta, Advocate, for respondents No. 1 and 2.

Mr. Gursimranjit Singh, Advocate, for respondents No. 3 & 4.

HARSIMRAN SINGH SETHI, J.(ORAL)

CM-753-C-2021

Present application has been filed for preponing the date of hearing of the main appeal i.e. RSA No.2039 of 2017, which stands adjourned to 11.05.2021.

Notice of the application to the counsel opposite.

Mr. Tapish Gupta, Advocate, who has joined the proceedings through video conference, accepts notice on behalf of respondents No. 1 and 2 and Mr. Gursimranjit Singh, Advocate, who has also joined the proceedings through video conference, accepts notice on behalf of respondents No. 3 and 4 and raises no objection for the grant of prayer as raised in the present application.

Keeping in view the above, application is allowed and the hearing of the main appeal i.e. RSA No.2039 of 2017 is preponed from 11.05.2021 to today.

CM-754-C-2021 in/and RSA-2039-2017

Present application has been filed under Order 23 Rule 3 read with Section 151 CPC for disposing of the present appeal in terms of the compromise between the appellant and respondents No. 1 and 2 dated 02.02.2021, a copy of which has been appended as Annexure A-4.

Learned counsel for the appellant as well as learned counsel for respondents No. 1 and 2 submits that the dispute between the parties has been settled by them and as per the compromise deed, Jaswant Singh, who was the adopted son of the deceased Malkiat Singh, will be free to approach the Market Committee raising his claim for the grant of compassionate appointment. Further, it has been settled between the parties that appellant Kuldeep Kaur will be entitled for the monthly pension and the arrears of the pension in respect of the post, on which the deceased Malkiat Singh was working and the other benefits will be shared by both the parties as agreed between themselves in paragraph 3 of the compromise deed.

Learned counsel for respondents No.3 and 4-Market Committee submits that he does not have any knowledge about the said compromise deed and the compromise between the parties cannot effect the Market Committee as Market Committee will release the benefits to the claimant, who is entitled for it as per the rules and it will be for the appellant and respondents No. 1 and 2 to share the same thereafter as per their compromise if they want.

With regard to the grant of compassionate appointment, learned counsel for respondents No. 3 and 4 submits that in case, any application is received from any claimant for the grant of compassionate appointment, the same will be decided in terms of the law, rules and regulations governing the said issue.

The said stand of respondents No. 3 and 4 noticed hereinbefore is also agreeable to the appellant as well as respondents No. 1 and 2.

Keeping in view the above, the present appeal is disposed of in terms of the compromise dated 02.02.2021 (Annexure A-4) subject to the reservations raised by the learned counsel for respondents No. 3 and 4 as noticed hereinbefore.

(HARSIMRAN SINGH SETHI)
JUDGE

April 20, 2021
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No