

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(109) CM-2358-C-2021 and
CM-2359-C-2021 in
RSA-2478-2018
Date of Decision : July 27, 2021

Vishan Devi and another .. Appellants

Versus

Harish Kumar and others .. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Promila Nain, Advocate, for the applicant-appellants.

Mr. Amar Vivek Aggarwal, Advocate, and
Ms. Ankita, Advocate, for respondents No. 1 to 3.

Mr. Vivek Singla, Advocate, for respondent No.8.

Mr. Jagjit Singh Dahiya, Advocate, for respondent No.11.

Mr. Anil Rathee, Advocate, for respondents No. 12 and 13.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-2359-C-2021

Present application has been filed by the applicant-appellants seeking permission for deleting respondents No. 5 to 13 as unnecessary for the purpose of the adjudication of the present appeal.

Learned counsel for the applicant-appellants submits that the present RSA be treated against only respondents No.1 to 4 as there is no claim, which is being made by the appellants against the other respondents and the prayer made in the present appeal be restricted against respondents No.1 to 4 only.

Keeping in view the averments made in the application, prayer in the said application is allowed. Respondents No.5 to 13 are deleted from the array of respondents. Present appeal is to be treated on behalf of respondents No.1 to 4 only.

CM-2358-C-2021

Present application has been filed under Order 23 Rule 3 read with Section 151 CPC for placing on record the compromise deed, which has been entered into between the parties with a further prayer that the present appeal be disposed of in terms of the said compromise.

Notice of the application to the counsel opposite.

Mr. Amar Vivek Aggarwal, Advocate, and Ms. Ankita, Advocate, who has joined the proceedings through video conference, accepts notice on behalf of respondents No.1 to 3.

Learned counsel for the applicant-appellants concedes that after the filing of the RSA, the parties have already entered into compromise on 08.07.2021, which has been attached as Annexure A-2 with the application and the said compromise has been entered into between the parties with their free will and without any coercion and the appellants will abide by the conditions as mentioned in the compromise and they will execute their part.

Keeping in view the above mentioned facts, the application is allowed. Compromise as Annexure A-2 is permitted to be taken on record and in view of the joint request of learned counsel for the parties, the hearing of the main RSA is preponed and the RSA is taken up for hearing today.

RSA-2478-2018

Learned counsel for the parties are agreed that the present RSA be disposed of in terms of the family settlement/compromise, which the parties have entered into on 08.07.2021. Learned counsel for the parties assure this Court that the said compromise has been entered into between the parties with their free will and without there being any coercion and terms and conditions laid down in the said compromise is acceptable to both the parties and both the parties will execute their part as envisaged in the said compromise dated 08.07.2021.

Learned counsel for the parties jointly pray that the present RSA be disposed of in view of the said compromise.

In view of the joint request of the parties, the present appeal is disposed of in terms of the compromise dated 08.07.2021 (Annexure A-2) and the compromise dated 08.07.2021 (Annexure A-2) be made a part of the decree.

July 27, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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