

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

106+207(1)

CM-5387-C-2021,
CM-3268-C-2021 and
CM-3278-C-2021 in/and
RSA No.3764 of 2018 (O&M)
DATE OF DECISION : 22nd NOVEMBER, 2021

Darshan Singh (since deceased) through his LRs

.... Appellants

Versus

Adarsh Pal Singh and others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Rohit Kumar, Advocate for the applicant-appellants.

Mr. Dhruv Mittal, Advocate for respondent Nos.1 and 2.

Mr. Namit Gautam, Advocate for respondent No.3.

* * * *

RAJBIR SEHRAWAT, J. (Oral)

This appeal has been filed by the plaintiff (since deceased) through his LRs against the judgment and decree dated 28.03.2017 passed by the Additional District Judge, Jalandhar, vide which the appeal filed by defendant Nos.4 and 5/appellants was allowed while reversing the judgment and decree passed by the Additional Civil Judge (Senior Division), Jalandhar dated 18.03.2013 wherein the suit for permanent injunction filed by the plaintiff was allowed.

Notice in the appeal was issued and the counsel for the parties had put in their presence. The case was adjourned to 22.11.2021 and now, vide general orders issued by the High Court; the same has been adjourned for 08.04.2022.

In the meantime, the compromise was effected between the parties and by way of present applications filed by both the parties, it has

been prayed that the main case be preponed and the appeal be disposed of in terms of the compromise dated 27.08.2021, wherein it has been mentioned that all the parties to the compromise deed shall withdraw their respective appeals/suits and execution pending in the High Court and District Courts, Jalandhar and the terms mentioned therein will be binding in future on all the parties as well as their legal heirs and representatives.

Notice in the applications to the counsel opposite.

Learned counsels for the respective parties accept notice and submit that they have no objection to the prayer made in the respective applications.

For the reasons mentioned in the applications; and in view of the submissions made by counsel for the parties and no objection expressed by the counsel for the parties, the applications are allowed, as prayed for. Permission is granted to the appellants to withdraw the main appeal in view of the compromise.

The compromise annexed with the application as Annexure A-1 is taken on record, subject to all just exceptions. The appeal is preponed to today and taken on board for its final disposal.

Main Appeal

In view of the above, the appeal is dismissed as withdrawn in view of the compromise.

All pending miscellaneous applications are also disposed of as such.

22nd NOVEMBER, 2021
'sandeep'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes *No*
Yes *No*