

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

107

CM-4089-C-2021 in/and
RSA No.474 of 2017 (O&M)
DATE OF DECISION : 7th OCTOBER, 2021

Tejinder Kaur

.... Appellant

Versus

Navjeet Singh

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Kanwal Goyal, Advocate and
Mr. Aman Mittal, Advocate,
for the applicant-appellant.

* * * *

RAJBIR SEHRAWAT, J. (Oral)

CM-4089-C-2021

The present application has been filed by learned counsel for the applicant-appellant for disposal of the main appeal on the basis of compromise dated 29.09.2021 (Annexure C-1) and consequently, impugned judgments and decrees be modified by treating compromise as part of the judgment and decree.

Notice in the application to the counsel opposite.

Mr. Kawalpreet Singh Virk, accepts notice on behalf of the respondent and submits that he has no objection to the prayer made by learned counsel for the applicant-appellant.

For the reasons mentioned in the application and in view of the submissions made by counsel for the applicant/appellant and no objection

expressed by the counsel for the respondent, the application is allowed, as prayed for.

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

Main Appeal

The plaintiff/respondent had filed a suit for possession by way of specific performance of agreement to sell dated 03.02.2004 directing the defendant to get the sale deed executed and registered in favour of the plaintiff. Vide judgment and decree dated 16.05.2014 passed by the Civil Judge (Junior Division), Nabha, the suit of plaintiff/respondent was decreed. Being not satisfied with the judgment and decree, the defendant/appellant filed the appeal before the lower Appellate Court. The lower Appellate Court, vide judgment and decree dated 02.09.2016 dismissed the appeal. The present regular second appeal was filed by appellant/defendant before this Court challenging the judgments and decrees dated 16.05.2014 and 02.09.2016 passed by the Courts below.

Learned counsel for the appellant has submitted that now the parties have amicably settled the dispute and have entered into a written compromise as per Annexure C-1.

Even, learned counsel for the respondent has not disputed the fact that the parties have entered into a compromise and the veracity of the compromise at Annexure C-1 has also not been disputed by him. Learned counsel for the respondent has also submitted that the present appeal be allowed in terms of the compromise mentioned above.

In view of the above, the present appeal is allowed in view of the compromise attached as Annexure C-1. The compromise at Annexure C-1; is made part of this order. The decree be drawn accordingly.

All pending miscellaneous applications are also disposed of as such.

07th OCTOBER, 2021
‘sandeep’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>