

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

**CM-1847-C-2021 in/and
RSA No. 441 of 2020 (O&M)
Date of Decision: June 29, 2021**

BALBIR SINGH Appellant(s)
Versus

JAGDEEP SINGH AND ANOTHER Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. G.S. Brar, Advocate
for the applicant-appellant.

Mr. Sunny Singla, Advocate
for respondent no.1.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Prayer in this application (CM-1847-C-2021) is for withdrawal of the above mentioned Regular Second Appeal in view of compromise dated 13.03.2021, arrived at between the appellant and contesting respondent no.1 /plaintiff.

Notice of the application.

Mr. Sunny Singla, Advocate appears on behalf of respondent no.1 and affirms the factum of settlement between the parties.

At request of learned counsel for the parties, hearing of this appeal is preponed from 23.08.2021 for today.

Suit for specific performance of agreement to sell dated 03.09.2008 filed by respondent no.1/plaintiff - Jagdeep Singh (arrayed as respondent no.1 in this appeal) was decreed vide judgment and decree dated

12.01.2018, passed by the learned Addl. Civil Judge, (Sr. Division), Malerkotla. Same was challenged by the present appellant only. However, learned District Judge, Sangrur, vide judgment and decree dated 07.08.2019 dismissed the appeal. It is to be noted that Iqbal Singh son of Sarabjit Singh, who was arrayed as defendant no.1 before the learned trial Court did not challenge judgment and decree dated 12.01.2018 in favour of plaintiff - Jagdeep Singh. During pendency of this appeal, it is stated that the matter has been amicably settled between the parties. It is stated that sum of Rs.6,50,000/- has been handed over to the present applicant/appellant as full and final settlement of his claim.

In this view of the matter appellant's claim stands satisfied and he has no objection in case, sale deed is executed in favour of plaintiff - Jagdeep Singh son of Mohan Singh and the appellant seeks to withdraw the present Regular Second Appeal. A notarized copy of the agreement dated 13.03.2021 has been attached alongwith the application, which is duly supported by an affidavit of the appellant. Copy of agreement dated 13.03.2021 is taken on record.

Keeping in view the facts and circumstances as above, application is allowed and appeal is accordingly dismissed as withdrawn.

(Lisa Gill)
Judge

June 29, 2021

Sunil

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