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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision:22.07.2022

1. CM-4741-C-2022 in/and
RSA-2874-2000 (O&M)

Maninder Singh and others
Vs.

.. Appellants/Plaintiffs

Karam Singh
AND

..Respondent

2. CM-4756-C-2022 in/and
RSA-21-2000 (O&M)

Karam Singh
Vs.

.. Appellant/defendant

Maninder Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Shinder Sandhu, Advocate for the appellants
in RSA-2874-2000.

Mr. Anish Setia, Advocate for the appellant
in RSA-21-2000.

...

Manoj Bajaj, J. (Oral)

**CM-4741-C-2022 and
CM-4756-C-2022**

Learned counsel for the parties have filed these applications in their respective appeals to place on record the compromise arrived at during the pendency of these appeals and pray that as the dispute is amicably settled, and have prayed that the appeals be decided in terms of compromise dated 13.11.2021 (Annexure A-1).

Applications are allowed and compromise dated 13.11.2021 is taken on record and further on the oral request of the learned counsel for the parties, the date of hearing in the appeals is preponed and the appeals are taken up for hearing today.

Main case

Appellants/plaintiffs have preferred this second appeal to challenge the impugned judgment and decree dated 11.10.1999 passed by first Appellate Court, whereby their appeal bearing No.25/05.02.1996 was partly accepted and the judgment and decree dated 07.12.1995, dismissing their Civil Suit No.443/07.09.1989 for recovery of Rs.2,00,000/- was reversed, and decree for a sum of Rs.53,000/- along with interest @ 6 % p.a., was passed.

The other appeal (RSA No.21 of 2000) is preferred by the defendant to challenge the said Appellate Court judgment and decree dated 11.10.1999, with a prayer for restoration of the decree dated 07.12.1995 passed by Addl. Civil Judge, (Sr. Divn.) Gidderbaha, whereby suit filed by plaintiffs was dismissed.

Today, Mr. Anish Setia, learned counsel for the defendant (Karam Singh) states that the parties have arrived at a settlement and has invited the attention of the Court to the compromise dated 13.11.2021 (Annexure A-1). He submits that plaintiffs have agreed to accept the total amount of Rs.1 lac and against this, Rs.20,000/- was paid at the time of writing the compromise, and Rs.55,000/- was paid on 21.07.2022. He submits that the balance amount of Rs.25,000/- by way of separate cheque(s) in favour of each of the plaintiff amounting to Rs.6,250/- has been paid. The photocopies of cheques dated 22.07.2022 is also produced.

At this stage, Mr. Shinder Sandhu, learned counsel for the plaintiffs states that indeed the parties have settled the dispute and the amount of Rs.75,000/- as stated by the counsel for defendant (Karam Singh)

of these cheques, the claim of the plaintiffs raised in the suit stands wholly adjusted and they have no objection, if, the impugned judgment and decree dated 11.10.1999 passed by the first appellate Court is set aside.

Considering the above stand of the parties, the appeal bearing No.RSA-21-2000 is allowed, in terms of compromise dated 13.11.2021 (Annexure A-1), whereas the appeal bearing No. RSA-2874-2000 is dismissed as withdrawn. Compromise shall form part of the decree.

22.07.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No