

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

**CM-6470-C-2022 and
CM-7481-C-2022 in/and
RSA-1753-1998 (O&M)
Date of Decision : November 22, 2022**

HARBHAJAN KAUR

.....Appellant

Versus

BHAN SINGH

..... Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Harjot Singh Bedi, Advocate
for the applicant-appellant (in CM-6470-C-2022)

Mr. Ashok Gupta, Advocate
for the applicant/respondent (in CM-7481-C-2022)

LISA GILL, J.

CM-7481-C-2022

Prayer in the application is for impleading the legal representatives of respondent – Bhan Singh, who is stated to have passed away on 16.02.2018.

For the reasons mentioned in the application as well as arguments addressed, applicants mentioned in para 4 of the application are impleaded as legal representatives of respondent – Bhan Singh, for the purpose of this appeal and subject to just exceptions.

Amended memo of parties is taken on record subject to just exceptions.

Application is, accordingly, disposed of.

CM-6470-C-2022 in/and RSA-1753-1998

Prayer in this application is for withdrawal of the appeal due to settlement arrived at between the parties on 31.08.2022. It is submitted that Civil Suit was filed by the respondent – plaintiff Bhan Singh against the present appellant who is his daughter-in-law, being the widow of pre-deceased son of Bhan Singh (Kapoor Singh). Civil Suit was filed by Bhan Singh seeking mandatory injunction for delivering possession of portion of the house as described in the plaint. The suit was decreed by the learned Sub Judge First Class, Ambala on 30.07.1994. Appeal preferred by the present appellant challenging the said judgment and decree was dismissed by the learned Additional District Judge, Ambala vide judgment and decree dated 14.05.1998 leading to filing of present appeal.

It is submitted that during the pendency of this appeal, defendant Bhan Singh has died. Bhan Singh left behind one son Gian Singh and two daughters Mohinder Kaur and Rajvir Kaur. The property in question was bequeathed upon Gian Singh by Bhan Singh by way of Will. Gian Singh also passed away on 18.02.2018. The matter, it is stated, has been amicably resolved between the parties and the terms and conditions set down in writing as per mutual agreement dated 31.08.2022 arrived at between the appellant and the wife and son of Late Gian Singh. Appellant, it is stated, has relinquished all her rights in House No. 1199, Jai Ram Ki Mandi, Bengali Mohalla, Ambala Cantt. in lieu of Rs.8 lakhs to be given to her. She has further agreed to withdraw this appeal in view of the settlement. Copy of agreement dated 31.08.2022 is attached as Annexure A/1.

Learned counsel for the respondent affirms and verifies the factum of settlement between the parties.

At request and with the consent of learned counsel for the parties, appeal is taken on Board for hearing today itself.

Accordingly, application is allowed and appeal is dismissed as withdrawn.

Liberty is afforded to any of the parties, who may not be the signatories to the compromise, to file appropriate application in case, any incorrect fact has been placed before this Court.

November 22, 2022
rts

(LISA GILL)
JUDGE

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