

CM-4581-C-2022 and
CM-4947-C-2022 in/and
RSA-1518-2021 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-4581-C-2022 and
CM-4947-C-2022 in/and
RSA-1518-2021 (O&M)
Date of Decision:27.07.2022

Ranjit Kaur @ Gurpreet Kaur and others

.. Appellants/Defendants

Vs.

Supinder Kaur and another

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Pawan Kumar, Sr. Advocate with
Mr. Gaurav Chauhan, Advocate and
Mr. Surya Kumar, Advocate for applicant-appellants.

Mr. Dhirinder Chopra, Advocate
for the respondents.

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Manoj Bajaj, J. (Oral)

CM Nos.4581 and 4947-C-2022

Learned senior counsel for the appellants/defendants states that during the pendency of this appeal, the parties, who are closely related being sons and daughter of Jag Singh (deceased) have settled the dispute relating to the suit property. In this regard, he has brought the attention of the Court to the compromise dated 04.05.2022 signed by interested parties and appended with the application. Learned senior counsel prays that the date of hearing in the main case be preponed and the appeal be disposed of in terms of compromise.

Notice of applications.

At this stage, Mr. Dhirinder Chopra, Advocate appears and accepts notice on behalf of respondents and does not oppose the prayer.

CMs are allowed. The compromise is taken on record and the date of hearing in the main appeal is preponed to today.

Main case

Appellants (Defendants) have challenged the judgment and decree dated 21.10.2021, passed by the Addl. District Judge, Sri Muktsar Sahib in Civil Appeal No.59/2017, whereby the judgment and decree dated 28.02.2017, passed by the Civil Judge (Jr. Divn.), Malout in Civil Suit No.170/2012, dismissing the suit of the plaintiffs (respondents), was reversed and the appellate Court decreed their suit.

Learned counsel for the parties have submitted that plaintiffs, namely, Supinder Kaur along with her son, namely, Anmoldeep Singh claimed title of the suit property on the basis of Will dated 06.05.2002 executed by her father, namely, Jag Singh, whereas the defendants had set up a defence that the predecessor-in-interest of the parties died intestate and the property in question would devolve upon the parties through natural succession. According to them, the suit filed by the plaintiffs was dismissed by Civil Judge (Jr. Divn.), Malout vide judgment and decree dated 28.02.2017, but in appeal, the Appellate Court reversed the said judgment and decree and proceeded to decree the suit in favour of the plaintiffs.

Today, learned counsel for the parties have stated that a compromise amongst the parties is arrived at on 04.05.2022 and as per this arrangement, both sides have already exchanged the different lands in

favour of each other and the claim of the appellants is also satisfied.

Considering the above stand of the parties, the impugned judgment and decree passed by first appellate Court is set aside, and the appeal is disposed of in terms of the compromise. It is is ordered that the rights of the parties in the suit property shall be governed as per terms of the compromise dated 04.05.2022.

Compromise shall form part of the decree. No costs.

27.07.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No