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

RSA-1175-2013 (O&M)

Date of decision : 11.11.2022

Swaran Kaur and others

...Appellants

Vs.

Prem Singh and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sumeet Jain, Advocate
for the appellants.

Mr. Tushant Deep Garg, Advocate
for the respondent.

MANOJ BAJAJ, J.

Appellants (plaintiffs) have preferred regular second appeal to challenge the judgment and decree dated 04.02.2013 passed in Civil appeal No.RT-22 dated 04.03.2011/08.06.2012, reversing the judgment and decree dated 24.12.2010 passed by Civil Judge (Junior Division) Kharar, whereby the suit for permanent injunction filed by plaintiffs, was decreed.

Learned counsel for the plaintiffs/appellants states that though the suit for permanent injunction filed by the appellants was decreed by the trial Court vide judgment and decree dated 24.12.2010, but in an appeal filed by defendants/respondents, the said judgment and decree was set aside on 04.02.2013 and suit was dismissed. Learned counsel states that subsequently in some other litigation between the parties relating to some other suit property, the compromise was arrived at and the suit property, which is subject matter of this appeal has fallen in their share. According to him, pursuant to the

execution proceedings in the other litigation, the rights of the parties were determined finally vide compromise deed dated 08.03.2021, which has already been placed before the Executing Court. With this subsequent development, he states that he has instructions to withdraw this regular second appeal.

The prayer is not opposed by learned counsel appearing on behalf of the respondents.

In view of the above, appeal is dismissed as withdrawn.

As the main case is decided, therefore, pending miscellaneous application(s), if any, be treated as disposed of.

(MANOJ BAJAJ)
JUDGE

11.11.2022
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No