

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(104)

CM-4406-C-2023 and
CM-4404-C-2023 in/and
RSA-1362-2019
Date of Decision : 04.05.2023

Jagir Kaur Deceased through LR.s.

...Appellants

Versus

Gurdeep Singh (since deceased) through LR.s.

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vivek K. Thakur, Advocate for the appellants.

Mr. Atul Jain, Advocate for the respondents.

Harsimran Singh Sethi J. (Oral)

CM-4406-C-2023

Present application has been filed to dispose of RSA-1362-2019 in terms of the compromise.

Notice of the application to learned counsel for the respondents.

Learned counsel for the respondents submits that though a compromise has been attached along with the application but he does not have any instructions qua the same, hence the present regular second appeal may kindly be disposed of in terms of the compromise but with liberty to revive the same in case, it is ultimately found that the said compromise is not genuine.

Keeping in view the above, the application is allowed.

On the joint request of learned counsel for the parties, RSA-1362-2019 is taken up for hearing.

CM-4404-C-2023

Present application has been filed for placing on record the Compromise deed dated 08.04.2023 as Annexure A-10.

Application is allowed and compromise as Annexure A-10 is taken on record.

RSA-1362-2019

Keeping in view the compromise placed on record by the learned counsel for the appellants dated 08.04.2023, a copy of which has been appended as Annexure A-10, this is a fit case to exercise power under Order 23 Rule 3 of CPC, hence, the present regular second appeal is disposed of in terms of the said compromise but with the liberty to the respondents to revive the same in case the averments made in the application qua the compromise are found to be incorrect. Compromise dated 08.04.2023 be also made part of the decree.

May 04, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No