

MOHAMMAD TANVIR KHAN AND ANR V/S WAHIDA AND ANR

Present:- Mr. Ashok Kumar Nabhwala, Advocate
for the applicants-appellants.

CM No.3503-CII of 2023

This application has been moved on behalf of the applicants-appellants with a prayer to prepone the date of hearing in the main appeal bearing ***FAO No.1038 of 2000*** and to dispose of the same in terms of the compromise as already affected between the parties on 06.01.2023.

Notice in the application.

Mr. S.S. Joshi, Advocate, has put in appearance on behalf of the respondents in this case and he has submitted his power of attorney in the Court today and the same is taken on the record. He accepts the notice on behalf of his clients and further submits that he has no objection in allowing the instant application.

Keeping in view the above-said fact as well as the reasons as mentioned in this application, the same is allowed and the afore-referred main appeal is taken on the Board today itself.

FAO No.1038 of 2000 (O&M)**CM No.1716-CII of 2023**

The present application has been moved on behalf of the applicants-appellants with a prayer to take the written compromise, arrived at between the parties, on the record and to dispose of the above-mentioned main appeal in the terms thereof.

Learned counsel for the respondents submits that he has no

objection in allowing this application.

Keeping in view the afore-said fact as well as the reasons as set-forth in this application, the same is allowed and the above-said written compromise is taken on the record.

FAO No.1038 of 2000

It is pertinent to mention here that at this stage, it has come to the notice of this Court that in the amended Memo of Parties, as taken on the record vide the order dated 12.08.2014 while allowing the application bearing ***CM No.15664-CII of 2014***, as moved for impleading the LR's of respondent No.2-Mange Khan in the instant appeal, the name of respondent No.2(3) has been mentioned as 'Sahie Khan' son of Mange Khan.

Learned counsel for both the parties make an oral request to rectify the same as 'Sahil Khan' in the amended Memo of Parties.

Keeping in view the fact that the name of the above-said respondent has been mentioned as 'Sahil Khan' in the afore-said application as well as in the written compromise and also in the copy of his Aadhar Card as annexed therewith, the request made by learned counsel for both the parties is allowed and the Registry is directed to make the necessary correction in this regard in the amended Memo of Parties itself.

Now, for recording the statements of the parties, who are stated to be present in the Court, the file be taken up at the end of the urgent list.

24.02.2023
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(MEENAKSHI I. MEHTA)
JUDGE

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

FAO No.1038 of 2000
Date of Decision: 24.02.2023

Mohammad Tanvir Khan and another

...Appellants

Versus

Wahida and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Ashok Kumar Nabhewala, Advocate along-with both the appellants named Mohammad Tanvir Khan and Naseem Akhtar Khan in person.

Mr. S.S. Joshi, Advocate along-with respondent No.1-Wahida and the LRs of respondent No.2-Mange Khan (since deceased) namely Sunita Devi, Tania and Sahil Khan in person.

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MEENAKSHI I. MEHTA, J. (Oral)

The parties are present in the Court today and they are stated to have arrived at a compromise qua their dispute in the present appeal and the written compromise has already been placed on the file.

Both the above-named appellants have made a joint statement to the effect that they have signed written compromise Annexure C-1 after perusing and understanding its contents and they have handed over (05) five Drafts worth Rs.12 lac (in total) to the respondents in pursuance of this written compromise and the appeal may be decided in terms of the same.

All the afore-said respondents have also made a separate joint statement to the effect that they have signed the said written compromise in

token of the correctness of its contents after perusing and understanding the same and that they as well as Rabina @ Veena, who is the wife of deceased Babu Khan and has appeared in the Court along-with them, have already received the Drafts, as per their respective shares in the total settlement amount of Rs.12 lac and the photostat copies of the Drafts are Annexures C-2 to C-6 and the appeal be decided in terms of the written compromise Annexure C-1.

Both the parties have been duly identified by their respective counsels.

Resultantly, the appeal in hand stands disposed of in terms of the written compromise Annexure C-1.

24.02.2023
neetu

(MEENAKSHI I. MEHTA)
JUDGE

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