

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

RSA-1716-1995(O&M)
Date of decision: 06.01.2023

Gurdev Singh (deceased) through LRs and another
... Appellants
Versus
Teja Singh and others
... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: Mr. Vipul Goel, Advocate, for
Mr. Yogesh Goyal, Advocate, for the appellants.
Mr. P.S. Punia, Advocate, for respondent No.1.

ARUN PALLI, J. (Oral)

Learned counsel for the appellants submits that during the pendency of the appeal, the dispute between the parties has since been resolved. In reference to the agreement dated 23.01.1997, which is taken on record as Mark 'X', he submits that the suit land has been sold by the respondent/decreed-holders to the appellants, and they have even obtained possession thereof.

As opposed to this, learned counsel for the respondent(s) refers to an order dated 18.04.1998, passed by the Executing Court, whereby the possession of the suit land was delivered to the respondent/decreed-holders. Though for lack of any specific instruction, he submits that he cannot confirm, if the matter has already been settled/compromised between the parties.

However, in the given circumstances, learned counsel for the parties jointly submit that as the appeal appears to have been rendered infructuous, the same be disposed of as such. It is urged that in case any dispute, cause of action, or interest still survives, the appellants will be at liberty to move an appropriate application for restoration of the appeal and its decision on merit.

Ordered, accordingly.

06.01.2023
Rajan

**(Arun Palli)
Judge**

Whether speaking / reasoned:
Whether Reportable:

YES
NO