

2023:PHHC:122688

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210+101

RSA-182-1995 (O&M)
Date of Decision : 19.09.2023

Harbans Singh and others

.....Appellants

Versus

Ajmer Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Anil Kumar Ahluwalia, Advocate for the appellants.

Mr. Manoj Pundir, Advocate for
Mr. Jogender Sharma, Advocate for the respondents.

NAMIT KUMAR, J. (ORAL)

CM-10344-C-2023

Prayer in the instant application filed under Section 151 of CPC is for exemption from filing certified copy of mutual settlement dated 18.08.2023 (Annexure A/1)

Allowed as prayed for subject to all just exceptions.

RSA-182-1995 (O&M)

1. The appellants have filed the instant appeal against judgment and decree dated 12.10.1994 whereby learned Additional District Judge, Rupnagar while modifying the judgment and decree dated 13.09.1990 passed by learned Sub Judge Ist Class, Kharar in favour of the appellants/plaintiffs, has allowed the appeal filed by the respondents/defendants.

RSA-182-1995 (O&M) -2-

2. The applicant/appellant has filed application bearing No.CM-10346-C-2023 under Order 23 Rule 3 read with Section 151 of CPC for disposal of the regular second appeal in view of the mutual settlement dated 18.08.2023 arrived at between the parties. A copy of the compromise has been attached with the application as Annexure A/1.

3. Notice in the application.

4. Mr. Manoj Pundir, Advocate for Mr. Jogender Sharma, Advocate, who is present in the Court, accepts notice on behalf of the respondents/non-applicants. The factual position as set out above is not disputed by the learned counsel for the respondents/non-applicants, rather he submit that let this appeal be disposed of in view of the compromise arrived at between the parties.

4. Consequently, the present regular second appeal is disposed of in view of mutual settlement dated 18.08.2023 (Annexure A/1) arrived at between the parties and accordingly, the judgment and decree assailed in this appeal is modified in terms thereof.

5. Misc. Application(s) pending, if any, shall also stand disposed of accordingly.

19.09.2023
Kothiyal

(NAMIT KUMAR)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No