

CM-12521-C-2023 in/and
RSA-1573-1996

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2023:PHHC:152101

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

101

CM-12521-C-2023 in/and
RSA-1573-1996

Date of Decision: 29.11.2023

Chander Kalan and others

.... Appellants

Versus

Tulsi Ram and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Rose Gupta, Advocate for the applicant-appellant.

Mr. G.S. Bidhan, Advocate for
Mr. R.K. Gupta, Advocate respondents.

NIDHI GUPTA, J. (ORAL)

Vide previous order dated 24.11.2023, learned counsel for the applicant-appellants was directed to clarify the ambiguity in the memo of parties as observed in the order dated 22.05.2023.

In reference thereto, learned counsel for the applicant-appellants has placed on record a copy of order dated 09.08.2023, passed by a co-ordinate Bench of this Court, vide which the LRs of deceased-appellant were brought on record.

Further perusal of office report dated 07.08.2023 also reveals that in compliance of the order dated 22.05.2023, learned counsel for the applicant-appellants had already filed amended memo of parties which is at Flag 'A'.

This is an application filed under Order XXIII Rule 3 read with Section 151 CPC for disposal of the present appeal in terms of compromise deed dated 03.10.2023 (Annexure A-1).

Learned counsel for the parties are *ad idem* that the matter has amicably been resolved between the parties vide compromise deed dated 03.10.2023 (Annexure A-1). Thus, it is prayed that the instant second appeal may be disposed of in terms of aforesaid compromise arrived at between the parties.

In view of the above and for the reasons mentioned in the application which is supported by an affidavit of Appellant No. 1(i)-Krishan Kumar, the same is allowed.

With the consent of learned counsel for the parties, the main appeal is taken up for hearing today itself and the same is disposed of in terms of compromise deed (Annexure A-1) being fully satisfied.

Pending application(s), if any, also stand(s) disposed of.

29.11.2023
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No