

2023:PHHC:151679

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101+206

RSA-203-2006 (O&M)

Date of Decision: 29.11.2023

Kulwant Singh @ Boora Singh through
his LRs Shanta Bai and another

....Appellants.

Versus

Hardeep Singh

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Pankaj Samania, Advocate, for
Mr. Sandeep Khunger, Advocate for appellants.

Mr. L.S. Sidhu, Advocate for respondent.

Lalit Batra, J.(Oral)

CM-12968-C-2023

This application under Section 151 CPC has been moved at the instance of applicants/appellants seeking permission to place on record Compromise Deed dated 07.11.2023 (Annexure A-1).

Compromise Deed dated 07.11.2023 (Annexure A-1) is taken on record, subject to all just exceptions.

Application stands allowed.

On joint request of learned counsel for the parties, the main appeal is taken on Board today itself.

Main Appeal

Learned counsel for the parties submit that during the pendency of instant appeal, parties have entered into compromise and to this effect Compromise Deed dated 07.11.2023 (Annexure A-1) has been arrived at.

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2. Learned counsel for the parties further submit that vide judgment and decree dated 12.01.2004 passed by Civil Judge (Junior Division), Jalalabad, civil suit filed at the instance of Hardeep Singh seeking relief of specific performance of agreement to sell dated 05.01.1999 was decreed entitling plaintiff-Hardeep Singh to seek specific performance of agreement in respect of land measuring 17 Kanals – 12 Marlas. Appeal preferred at the instance of respondent/defendant was dismissed by learned lower Appellate Court, vide judgment and decree dated 11.08.2005.

3. Learned counsel for the parties further submit that in view of terms and conditions of Compromise Deed dated 07.11.2023 (Annexure A-1), judgment and decree dated 12.01.2004 passed in Civil Suit No.88-1/20.8.01/04 titled 'Hardeep Singh vs. Kulwant Singh @ Boora Singh' may be modified accordingly.

4. In view of above, instant appeal preferred by appellant-Kulwant Singh @ Boora Singh (since deceased) now represented through LRs, is disposed of in terms of Compromise Deed dated 07.11.2023 (Annexure A-1) and judgment and decree dated 12.01.2004 passed by learned Trial Court is modified accordingly. Compromise Deed dated 07.11.2023 (Annexure A-1) shall form part and parcel of the said judgment and decree.

5. Pending application(s), if any, shall stand disposed of accordingly.

(LALIT BATRA)
JUDGE

29.11.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No