

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

RSA-5008-2019 (O&M)

Date of Decision: November 07, 2023

BACHITTAR SINGH

..... Appellant

Versus

AMARJIT KAUR ALAIS TITI

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ashish Gupta, Advocate for the appellant.
Mr. Ravish Bansal, Advocate for respondent No.1.

HARKESH MANUJA, J. (ORAL)

By way of present appeal, challenge has been laid to the judgments and decrees dated 15.04.2017 and 12.04.2019 passed by the Courts below whereby, a suit for possession by way of partition, filed at the instance of respondent No.1 qua a residential house bearing Municipal No.B-VI-546 situated in Dogar Basti, Faridkot stands decreed, holding the parties to the suit, entitled for 1/3rd share each therein.

2. On 06.09.2021, this Court passed the following order:-

“Inter alia contends that dispute is between brother and sister and appellant is ready for amicable settlement.

Notice of motion for 17.01.2022.

Notice re: stay as well.

In view of the above, till the next date of hearing, the execution of the impugned decree shall remain stayed.”

3. Perusal of the above order shows that notice in the appeal was issued for a limited purpose of exploring the possibility of settlement between the parties who happened to be brother and sister.

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Both the counsels are ad idem that despite their best efforts, the parties could not arrive at a settlement, thereby leaving no choice for this Court but to dismiss the appeal in terms of order dated 06.09.2021 wherein notice was issued, limited for the purpose of exploring the possibility of amicable settlement, finding no substance in the merits of the same.

4. In view of the aforesaid, the present appeal is dismissed.
5. Pending application(s), if any, shall also stand disposed of.

07.11.2023

tejwinder

(HARKESH MANUJA)

JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>