

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

261+109

RSA-1657-2022 (O&M)
Date of Decision : 03.11.2023

Neelam Kapoor

....Appellant

Versus

Rajiv Kumar and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Munish Kumar Garg, Advocate with
Mr. Vikas Mehra and Ms. Sakshi Tanwar,
Advocates for the appellant with
Ms. Neelam Kapoor, appellant-in-person.

Mr. Sanjiv Kumar Aggarwal, Advocate for
respondents No.1 and 2 with
Mr. Rajiv Kumar and Mr. Kanwal Kishore,
respondents No.1 and 2-in-persons.

Mr. Deepam Raghav, Advocate
for respondent No.3 with
Mr. Sanjeev Kumar, respondent No.3-in-person.

Mr. Deepak Thapar, Advocate
for respondent No.4 with
Ms. Krishna Wanti, respondent No.4-in-person.

NAMIT KUMAR, J. (ORAL)

CM-12397-C-2023

Prayer in the present application filed under Section 151 of the CPC is for placing on record compromise deed dated 26.09.2023 arrived at between the parties as (Annexure C) and seeks exemption from filing certified/true typed/legible copy thereof.

Allowed as prayed for subject to all just exceptions.

RSA-1657-2022 (O&M)

1. The applicant/appellant has filed application bearing No.CM-12400-C-2023 under Order 23 Rule 3 of CPC for disposal of the regular

second appeal in view of the compromise deed dated 26.09.2023 (Annexure C) arrived at between the parties.

2. Learned counsel for the appellant submits that the matter has been compromised between the parties during the pendency of appeal and they shall run their business in terms and conditions set out in the compromise deed dated 26.09.2023 and in view of the said compromise the instant regular second appeal may be disposed of.

3. Learned counsel for the respondents have affirmed the factum of compromise and rather submits that appeal may be disposed of in terms of said compromise.

4. The parties, who have been identified by their respective counsel, have also suffered a statement in the Court that they have compromised the matter and the instant regular second appeal may be disposed of in terms of the compromise deed dated 26.09.2023 (Annexure C).

5. Consequently, the present regular second appeal is disposed of in view of compromise deed dated 26.09.2023 (Annexure C) arrived at between the parties and the impugned judgment and decree is modified accordingly. Needless to say that parties shall remain bound by the compromise.

6. Decree-sheet be drawn in terms of the compromise.

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

03.11.2023
Kothiyal

(NAMIT KUMAR)
JUDGE

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