

105

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

CWP-2358-2018

Date of Decision: December 16, 2023

Ragbir Singh and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Sumit Sangwan, Advocate
for the petitioners.

Ms.Upasana Dhawan, AAG, Haryana.

Mr.Raman Chawla, Advocate
for respondents No.3 to 6.

.....

RAJESH BHARDWAJ, J.(ORAL)

Petitioner has approached this Court praying for issuance of a writ in the nature of certiorari for quashing of order dated 20.12.2017 passed by respondent No.1, Annexure P-12, vide which the case was remanded to respondent No.2 for fresh decision without assigning any reason. It is also prayed to direct the respondents to complete the partition proceedings in all respect including delivery of actual possession within some specified time.

It has been submitted by both the counsels that the matter has been compromised in Mediation and Conciliation Centre of this Court and hence the present petition be disposed of as such. Report of the Mediator alongwith settlement arrived at between the parties is on record. The relevant paras of the Settlement are as under:-

“a) Both the parties have agreed that in case the first party/petitioners undertakes to give the land from Khasra

No.229//21/2 and Khasra No.230//25/3 (which has been shown to be partitioned in their favour) for the purpose to widen the common passage from two Karams to three Karams comprised in Khasra no.229//21/1 and 230//25/2 (shown in Nakhsa Kh-Annexure P-3) and whatever land of first party/petitioners will be utilized for the purpose to widen the common passage, in lieu of that the second party/respondents No.3 to 6 also agreed to give half share of utilized land from Khasra No.230//25/1 (which has been shown to be partitioned in their favour) to the first party/petitioners. In this respect both the parties have agreed and accepted the aforesaid term and condition.

b) Both the parties have also agreed that in case the Sanad Taksim/Instrument of Partition is reissued by the Revenue Authorities and deliver the possession on the basis of the present Settlement/Agreement then both the parties have no objection and ready to make the statement(s) before the competent Authorities as and when required for the purpose to finalize the partition proceedings in accordance with the present Settlement/Agreement.

c) Both the parties have also agreed that they shall appear before the Revenue Authorities and get the mutation sanctioned in their favour respectively on the basis of the present Settlement/Agreement. The possession of their respective shares according to present Settlement/Agreement would be delivered to them.

d) That this Settlement/Agreement arrived at between the parties would be binding on all the parties and their respective legal heirs and any of the parties would not dispute the correctness of the present settlement/agreement.

e) That both the parties will pray before the Hon'ble High Court to dispose of the present writ petition in terms of the present settlement/Agreement."

In view of the above, the present petition is disposed of.

Impugned order, dated 20.12.2017, is modified in view of the compromise.

Naksha Bey be prepared and Sanad taksim be issued accordingly. Parties would be bound by the terms and conditions of the compromise.

December 16, 2023

meenuss

(RAJESH BHARDWAJ)

JUDGE

1. Whether speaking/reasoned ?

Yes/No

2. Whether reportable ?

Yes/No