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

RSA-2509-2023 (O&M)

Date of Decision:- 08.11.2023

Bundi Ram and others

...Appellants

Vs.

Parmod Kumar

...Respondent

CORAM:- HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. R.S. Mamli, Advocate
for the applicants/appellants.

Mr. K.B. Sidhu, Advocate
for the respondent.

AMARJOT BHATTI, J. (Oral)

CM-10368-C-2023 and CM-11611-C-2023

Learned counsel for the applicants filed two separate applications under Section 151 C.P.C. i.e. for placing on record the copy of compromise dated 12.09.2023 entered into between the appellants and respondent, Annexure A-1 and another for placing on record the original affidavits of appellants and respondent dated 07.10.2023, Annexure A-2 alongwith original compromise dated 17.09.2023, Annexure A-3.

Heard. For the reasons enumerated in the applications, the same are allowed. Accompanied documents Annexures A-1 to A-3 are taken on record.

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Bundi Ram and others have filed Regular Second Appeal against judgment and decree dated 21.08.2017 passed by learned Civil Judge (Junior Division), Bilaspur and judgment and decree dated 11.07.2023 passed by learned District Judge, Yamuna Nagar vide which

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the suit for permanent injunction filed by Parmod Kumar, plaintiff/respondent was decreed vide judgment and decree dated 21.08.2017 and appeal preferred against the aforesaid judgment and decree was also dismissed vide judgment and decree dated 11.07.2023.

During the pendency of RSA, the matter has been compromised between the parties. The compromise attested by the Notary Public dated 17.09.2023 is Annexure A-3. In support of this compromise, the appellants/defendants as well as respondent/plaintiff have filed their respective affidavits, admitting the said compromise. As per the terms of compromise, Parmod Kumar, respondent/plaintiff was permitted to cut the trees standing in the land in dispute and he was suitably compensated and in return, Parmod Kumar left the possession of land in dispute. The respondent/plaintiff in his affidavit categorically stated that he has no objection if the appeal preferred by the appellants is allowed.

In view of the aforesaid compromise, the judgment and decree dated 21.08.2017 passed by learned Civil Judge (Junior Division), Bilaspur and judgment and decree dated 11.07.2023 passed by learned District Judge, Yamuna Nagar are accordingly, set aside. The present RSA is accepted, dismissing the suit filed by the plaintiff, in view of the aforesaid compromise.

Both the parties will remain bound to the terms and conditions of compromise.

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

08.11.2023

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(AMARJOT BHATTI)
JUDGE