

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

RSA-4070-2019 (O&M)

Date of decision : 17.05.2023

Pritam Singh and others

...Appellant(s)

Versus

Malkeet Kaur @ Kiranjit Kaur and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Mandeep K. Sajjan, Advocate,
for the appellants.

Mr. Anurag Chopra, Advocate,
for the respondent.

MAHABIR SINGH SINDHU, J.

CM-3903-C-2023

Application for deciding the present appeal in view of the
affidavits of respondents (A-7 to A-9).

CM-4484-C-2023

Application for disposing off the appeal in terms of the affidavit
dated 10.04.2023 (A-1).

Both these applications came up for hearing on 04.05.2023 and
this Court passed the following order:-

*“Jointly stated that the matter has been
compromised between the parties and reference in this
regard is made to documents (Annexures A-7 to A-9),
enclosed with the application bearing CM No. 3903-C of
2023.*

If that be so, let both sides to appear before Mediation & Conciliation Centre of this Court for recording their statement on 15.05.2023 and report be submitted to this Court on or before 17.05.2023.

Till the next date of hearing, interim order to continue.”

Pursuant to the aforesaid order, report of Mediator dated 15.05.2023 has been received and according to which, matter stands amicably settled between the parties at their own level.

In view of the above, present applications are disposed off.

On oral request, main appeal is preponed from 16.10.2023 and taken on Board today itself.

Main case

Present appeal has been preferred by the defendants against the impugned judgment and decree dated 18.07.2019, passed by learned District Judge, Ferozepur, whereby, their appeal against the judgment and decree 01.12.2018 passed by learned Civil Judge, Junior Division, Zira, decreeing the suit of plaintiff-respondent, was dismissed.

2. Learned counsel for the parties jointly stated that matter has been amicably settled in terms of the Settlement/Compromise dated 15.05.2023 entered into between the parties before the Mediator and relevant part of the same reads as under:-

“7. That both the parties have settled their dispute on the following terms and conditions:-

a) That today both the parties present and has admitted the registered will dated 01.04.2015 executed by

Nihal Kaur (Since deceased) W/o Makhan Singh in favour of her grandsons.

b) That further both the parties are agreed now that if the mutation of inheritance Nihal Kaur (since deceased) on the basis of registered will dated 01.04.2015 will be sanctioned in favour of appellants then the respondents-second party have no objection.

c) That the second party – respondent have also admitted the affidavits which was part of the CM 3903 - C of 2023 and admitted the contents of the affidavits as well.

By signing this Agreement the parties hereto state that they have no further claims or demands against each other with respect to the present dispute filed by either of the parties and all the disputes and differences in this regard have been amicably settled by the parties hereto through the process of Conciliation/Mediation and shall not institute any other case against each other with reference to the present claim against each other.”

3. This Court has also gone through the aforesaid Settlement/Compromise and which indicates that parties have settled their dispute. Even before this Court also, learned counsel for the parties stated that entire controversy is settled and no grievance is pending against each other.

4. In view of the agreed stand taken by both sides, present appeal is disposed off in terms of the aforesaid Settlement/Compromise entered into between the parties and same shall form part of the decree.

5. It is made clear that both sides shall be bound by the terms & conditions recorded in the Settlement/Compromise, noticed hereinabove.

6. Needless to say that in case there is any breach by either side,

legal consequences shall follow.

7. Pending application(s), if any, shall stand disposed off.

17.05.2023
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No