

RSA No.4003 of 2011 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(105)

RSA No.4003 of 2011 (O&M)
Date of Decision:11.08.2023.

Prem Kala

.....Appellant

Versus

Narender Kumar Bimbra and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. S.K. Garg Narwana, Sr. Advocate with
Mr. Vishal Garg Narwana, Advocate
for the appellant.

Ms. Supreet Bimbra, Advocate
along with Ms. Sukhjeet Kaur & Mr. Gurinder Singh Bimbra
for the respondent.

VIKRAM AGGARWAL, J. (ORAL)

CM-8821-C-2023

Prayer in the present application is for exemption from filing the
certified copies of Annexures A-1 to A-3.

Allowed as prayed for.

CM-8823-C-2023

1. This application has been filed under Order 23 Rule 3 read with
Section 151 CPC to decide the present Regular Second Appeal in terms of the
compromise/settlement deed dated 22.05.2023 (Annexure A-1). It has been
averred in the application that the matter has been settled between the litigating
parties and a deed of compromise/settlement dated 22.05.2023 (Annexure A-1)
has been executed.

2. Mr. Anil Kumar, the power of attorney holder of the appellant and respondent No.2 is present. Further, respondents no.1 (i) to 1 (iii) i.e. Ms. Supreet Bimbora, Advocate alongwith Ms. Sukhjeet Kaur & Mr. Gurinder Singh Bimbora are present in Court. It would be relevant to mention that Ms. Supreet Bimbora is appearing in her personal capacity and is an Advocate also. (Photocopies of Aadhaar Cards of respondent No.1(i) to 1(iii) have been placed on record). Mr. Anil Kumar has executed the deed of settlement on behalf of the appellant. Learned Senior counsel and Ms. Supreet Bimbora submit that the compromise has been arrived at between the parties out of their own free will. In terms of the compromise, a demand draft of ₹1,35,00,000/- (One Crore thirty five lakhs only) has been handed over to the respondents no. 1 (i) to 1 (iii) in the Court. A photocopy of the same has been retained on the case file. . The original deed of settlement has been placed on the file of the present case. The same is taken on record as Ex.A-1. Both sides submit that the Regular Second Appeal be disposed of in terms of the settlement.

Keeping in view the averments made in the application as also the submissions made by both sides, the present application is allowed and the Regular Second Appeal is disposed of in terms of the deed of settlement, Ex.A-1. Decree be prepared in accordance with the deed of settlement, Ex.A-1.

August 11th, 2023
Rekha

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.