

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1. **RSA-4386-2012 (O&M)**
Date of decision : 12.04.2023

Vikas GoyalAppellant

Versus

Tarun Kumar and AnotherRespondents

2. **RSA-4387-2012 (O&M)**

Trilok Chand (deceased) through LR Vikas GoyalAppellant

Versus

Tarun Kumar and AnotherRespondents

CORAM : HON’BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Chanchal K. Singla, Advocate
for the appellant (in both the cases).

Mr. Umesh Aggarwal, Advocate
for the respondents (in both the cases).

ALKA SARIN, J. (ORAL)

The present order shall dispose off two appeals being **RSA**
No.4386 of 2012 and **RSA No.4387 of 2012**.

CM-2159-C-2023 in RSA No.4386 of 2012
CM-2162-C-2023 in RSA No.4387 of 2012

The present applications have been filed for disposing off the
main appeals in terms of the compromise dated 15.02.2023.

RSA Nos.4386 & 4387 of 2012

-2-

Learned counsel for the parties are *ad idem* that the parties to the *lis* have since compromised the matter and they have no objection if the appeals are disposed off in terms of the compromise dated 15.02.2023.

In view of the above, the present applications are allowed.

RSA No.4386 of 2012
RSA No.4387 of 2012

Learned counsel for the parties are *ad idem* that the parties to the *lis* have since compromised the matter and they have no objection if the appeals are disposed off in terms of the compromise dated 15.02.2023.

The suit was originally filed by the plaintiff-respondent for mandatory injunction seeking possession of shop No.968/4 (measuring 13 sq. yards) and shop No.969/4 (measuring 12 sq. yards) situated in Chota Halwai Hatta, Ganj Bazaar, Sonipat (Haryana). The Trial Court had decreed the suit vide judgment and decree dated 06.08.2010. Before the First Appellate Court, both Vikas Goyal and Trilok Chand, his grandfather, had preferred appeals which were dismissed vide judgment and decree dated 06.06.2012. Hence, the present appeals.

During the pendency of the appeals, Trilok Chand died and vide CM-15404-C-2015 in RSA-4386-2012 and CM-15403-C-2015 in RSA-4387-2012, Vikas Goyal was impleaded his legal representative.

Both the parties i.e. Vikas Goyal @ Vikas Goel and Tarun Kumar @ Tarun Goel are present in Court and they have been identified by their Aadhaar Cards bearing No.8020 5017 5849 and No.9909 8852 4384 respectively as well as by the counsel. The parties to the *lis* have

RSA Nos.4386 & 4387 of 2012

-3-

compromised the matter and compromise dated 15.02.2023 has been signed by both Vikas Goyal @ Vikas Goel and Tarun Kumar @ Tarun Goel, voluntarily. As per the compromise, the plaintiff-respondent herein has sold both the shops bearing No.968/4 (measuring 13 sq. yards) and No.969/4 (measuring 12 sq. yards) situated in Chota Halwai Hatta, Ganj Bazaar, Sonipat (Haryana) in favour of the defendant-appellant. Their statements have been recorded separately.

Learned counsel for the plaintiff-respondent, on instructions, states that he may be permitted to withdraw the suit itself in view of the compromise dated 15.02.2023 arrived at between the parties.

In view of the statements made by the parties which have been recorded separately as well as the statement made by learned counsel for the plaintiff-respondent in Court, the present appeals are disposed off in terms of the compromise dated 15.02.2023 (Ex.C-1). Consequently, the suit of the plaintiff-respondent is permitted to be withdrawn.

Disposed off accordingly. Pending applications, if any, also stand disposed off.

12.04.2023
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO