

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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RSA-4826-2016 (O&M)
Date of Decision : 28.11.2023

S. Jagat Singh @ Jagga Singh

....Appellant

Versus

Balbir Kaur and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Ramesh Kumar Bansal, Advocate for the appellant.

Mr. Vikas Singh, Advocate for the respondents.

NAMIT KUMAR, J. (ORAL)

1. The appellant/defendant No.6 has filed the instant appeal against judgment and decree dated 27.07.2016 whereby learned Additional District Judge, Kapurthala while allowing the appeal filed by respondent No.1/plaintiff has set aside the judgment and decree dated 29.03.2014 passed by learned Additional Civil Judge (Senior Division), Phagwara whereby a suit for declaration and permanent injunction filed by respondent No.1/plaintiff has been dismissed.

2. On 25.07.2023 the following order was passed :-

“The present application has been filed praying for referring the case to *Mediation and Conciliation Centre, in terms of compromise dated 24.05.2023.*

Notice of the application.

Mr. Vikas Singh, Advocate, appears and accepts notice on behalf of non-applicants/respondents.

It is jointly stated that during the pendency of the appeal, both the parties wish to settle the dispute through mediation.

Application is allowed and the matter is referred to

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Mediation and Conciliation Centre of this Court and the parties are directed to appear before it on 01.08.2023 or any date thereafter as directed.

Report be submitted on or before the next date of hearing.”

3. Pursuant to order dated 25.07.2023 passed by this Court, report dated 01.08.2023 has been received from the Mediation and Conciliation Center of this Court. As per the said report, the parties have settled their dispute by way of an amicable settlement.
4. Learned counsel for the parties submit that since the matter has been compromised between the parties before Mediation and Conciliation Center of this Court vide compromise dated 01.08.2023, the instant regular second appeal may be disposed of in view of the said compromise.
5. Consequently, the present regular second appeal is disposed of in view of compromise dated 01.08.2023 arrived at between the parties before the Mediation and Conciliation Center of this Court and the impugned judgment and decree is modified accordingly. Needless to say that parties shall remain bound by the compromise.
6. Decree-sheet be drawn in terms of the compromise.
7. Misc. Application(s) pending, if any, shall also stand disposed of accordingly.

28.11.2023
Kothiyal

(NAMIT KUMAR)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No