

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-4926-C-2020 in/&
RSA-5172-2015
Date of Decision :14.02.2023

Sharanjit Kaur and another

...Appellants

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. MJS Bedi, Advocate for the appellants.

Mr. Gurvinder Singh, AAG, Punjab.

Mr. Akshay Kumar, Advocate for
Mr. Sherry K. Singla, Advocate for respondent No.3.

Mr. Sandeep Jasuja, Advocate Official Mediator.

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Harsimran Singh Sethi, J. (Oral)

CM-4926-C-2020

Present application has been filed for preponing the main regular second appeal in view of the compromise dated 23.09.2020 (Annexure A-3).

Keeping in view the averments made in the application, which are duly supported by an affidavit, application is allowed. Date of hearing in the main regular second appeal is preponed to today and the same is taken up for hearing.

RSA-5172-2015

Learned counsel for the parties submit that the parties have amicably settled their dispute keeping in view the efforts made by the

Mediator Mr. Sandeep Jasuja, Advocate, which agreement has already been recorded in writing hence, the said settlement dated 08.02.2023 may kindly be made basis for disposing of the present regular second appeal by invoking the provisions of Order 23 Rule 3 of the CPC.

Learned counsel for the parties on instructions from their respective parties, who are also present in the Court concedes the factum that dispute in question has been compromised and the present regular second appeal may kindly be disposed of in terms of the said compromise keeping in view the provisions of Order 23 Rule 3 of the CPC.

Learned State counsel also submits that the said compromise will be given effect to as permissible under the rules governing the service and whatever benefits for which, the parties are entitled for, in terms of agreement dated 08.02.2023 coupled with the rules governing the service, will be extended to them.

Keeping in view the provisions of Order 23, Rule 3 of the CPC, the present regular second appeal is disposed of in terms of the settlement/agreement dated 08.02.2023, which is signed by both the parties along with learned Mediator.

It may be noticed that the family pension will be admissible to the appellant No.2 and respondent No.3, hence, State is directed to extend the said benefit as per their eligibility under the rules governing the service by bifurcating the pension 50% each in favour of appellant No.2 as well as respondent No.3 till the respondent No.3 attains the age of 25 years and after the said date, when respondent No.3 will attain the age of 25 years, the appellant No.2 be given 100% family pension for which, he is entitled for.

It is made clear that family pension will be paid to the parties concerned from the date of death of the deceased Rajesh Kumar alongwith arrears as per their entitlement stated hereinbefore.

Present regular second appeal stands disposed of in above recorded terms.

Before parting with the order, this Court is thankful to the Mediator Mr. Sandeep Jasuja, because of whose efforts, parties have been able to amicably settle their dispute.

February 14, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No