

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

RSA-641 of 2014(O&M)

Date of Decision: 18.07.2023

Rukmani Devi

...Appellant

Versus

Raj Kumar & Ors.

...Respondents

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Rahul Deswal, Advocate
For the applicant-appellant.**

**Mr. Shvetanshu Goel, Advocate
For respondents No.1,5(i), (ii), 6 and 7.**

**Mr. Nischal Chetanya Manchanda, Advocate
For respondents No.2 to 4.**

KARAMJIT SINGH, J.

Instant regular second appeal has been filed by appellant Rukmani Devi (defendant No.4) against the judgment and decree dated 31.05.2010 vide which the suit filed by respondent Raj Kumar (plaintiff) was partly allowed by the trial Court. She has also questioned the legality of judgment dated 03.09.2013 by virtue of which her appeal filed against the said judgment was dismissed by the Appellate Court below.

It is apparent that property bearing No. L-169 was owned by Sant Lal Sharma, the common ancestor of plaintiff and private defendants. He died on 29.03.1967, leaving behind Hari Kishan, Siri Kishan, Indira Devi and Bimla Devi as his legal heirs. Later Raj Kumar, son of Hari Kishan filed

a suit and challenged the order dated 14.06.2022 passed by Executive Officer, Municipal Council, Bhiwani by which the suit property was entered in the name of Rukmani Devi widow of Late Shri Siri Kishan as sole owner. Though, the suit was contested by the defendants, but the trial Court on appraisal of evidence adduced by parties partly decreed the suit vide judgment and decree dated 31.05.2010 and set aside the entries in revenue record showing Siri Kishan and subsequently his widow Smt. Rukmani as sole owner, including the order dated 14.06.2002 passed by the Executive Officer and held that all the legal heirs of deceased Sant Lal are entitled to be recorded as owners of the house in dispute.

Smt. Rukmani Devi unsuccessfully challenged the judgment and decree passed by the trial Court and her appeal was dismissed by the Appellate Court vide judgment dated 03.09.2013.

Dis-satisfied with the same, instant regular second appeal has been filed by defendant Smt. Rukmani Devi.

During pendency of the appeal, the parties have entered into settlement. Compromise (Annexure A-1) has been placed on record by the parties. The parties were sent to the Mediation and Conciliation Centre of this Court, where also they have reiterated the compromise. As per compromise, the parties have made arrangement/ partition concerning the property in dispute and have agreed not to interfere in each other's possession and have decided to withdraw all the pending litigation between them. Learned counsel for the parties are *ad idem* that the instant regular second appeal may be disposed of in terms of compromise arrived at between the parties.

In view of the consensus arrived at between the parties, the instant appeal is disposed of in terms of compromise (Annexure A-1). The

parties are bound by the compromise (Annexure A-1), which shall form the part of the decree sheet.

18.07.2023
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No