

114 + 268

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

RSA-6095-2017(O&M)

Date of decision : 03.05.2023

M/s Hartoon Communication Ltd.

...Appellant(s)

Versus

Kanwaljeet Singh Duggal and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Akshay Jindal, Advocate,
for the appellant.

Mr. Shantanu and Mr. Naman Saraswat, Advocates,
for respondent No.1.

MAHABIR SINGH SINDHU, J.

CM-4720-C-2023

Application for disposal of the appeal in view of
compromise/settlement deed dated 01.05.2023.

Notice of the application to the non-applicants.

Mr. Naman Saraswat, Advocate, accepts notice on behalf of the
non-applicant/respondent No.1 and raises no objection against the prayer
made.

For the reasons stated in the application as well as stand taken
by the other side, same is allowed subject to all just exceptions.

With consent of both sides, main appeal, which was admitted on
20.09.2018, is taken up on Board today itself.

Main case

Present appeal has been preferred against the impugned judgment and decree dated 29.11.2017, passed by learned Additional District Judge, Mewat, whereby, appeal of plaintiff was allowed; the judgment & decree of learned Civil Judge (Senior Division), Mewat dated 29.02.2016, partly decreeing the suit of plaintiff for specific performance, was set aside; and suit of plaintiff was decreed throughout.

2. It transpires that plaintiff- Kanwaljeet Singh Duggal filed a suit for specific performance, which was partly decreed by learned trial Court vide judgment & decree dated 29.02.2016. Still aggrieved against the aforesaid judgment & decree, plaintiff preferred first appeal, which was decreed throughout by learned Additional District Judge. Ultimately, defendant No.2-M/s Hartoon Communication Ltd. has filed the present second appeal against the judgment & decree of learned First Appellate Court,.

3. It is submitted by learned counsel for the appellant that during the pendency of present appeal, the matter has been amicably settled; and he has placed on record the original settlement deed dated 01.05.2023, which is taken on record as Mark 'X'. Parties, namely, Anil Kumar, authorized representative of appellant and Kanwaljeet Singh Duggal, respondent, are also present in person. They have acknowledged the aforesaid amicable settlement and stated that no grievance is left by either side.

4. In view of above, present appeal is disposed off in terms of the settlement deed (Mark 'X'), which shall form part of the decree.

5. It is made clear that both sides shall be bound by the terms &

conditions recorded in the settlement deed, noticed hereinabove.

6. Needless to say that in case there is any breach by either side, legal consequences shall follow.
7. Pending application(s), if any, shall also stand disposed off.

03.05.2023
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No