

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

RFA No.635 of 2017 (O&M)

Date of Decision: 09.03.2023

Kamla Devi and others

..... Appellants

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Adarsh Jain, Advocate for the applicants/appellants.

Mr. Shivendra Swaroop, AAG, Haryana for respondent Nos.1 & 2.

Mr. Abhishek Goyal, Advocate for respondent Nos.3 to 13.

MAHABIR SINGH SINDHU, J.

CM-3407-CI-2017

Application for recalling the order dated 07.02.2017.

Learned Counsel for the applicant/appellant submits that present application be disposed off as having been rendered infructuous.

Ordered accordingly.

CM-3048-CI-2022

Application for placing on record copy of Special Power of Attorney on behalf of respondent Nos.3 to 13 as Annexure A-1 with further prayer seeking exemption from filing original/certified copy thereof.

Notice of the application to the non-applicants.

Learned Counsel for the appellants as well as learned State Counsel have no objection in case the present application is allowed.

In view of above and for the reasons mentioned in the application, the same is allowed subject to all just exceptions.

Registry will do the needful.

CM-3049-CI-2022

Application for bringing on record the legal representatives of respondent No.6-Chander Parkash & respondent No.8-Dinesh.

Notice of the application to the non-applicants.

Learned Counsel for the appellants as well as learned State Counsel have no objection in case the present application is allowed.

In view of above and for the reasons mentioned in the application, which is supported by way of an affidavit of one Parveen son of Kishan Gopal, the same is allowed subject to all just exceptions. Applicants, depicted in para Nos.2 & 3 of the application, are ordered to be impleaded as LR's of deceased respondent Nos.6 & 8, respectively for the purpose of pursuing the main appeal.

Amended Memo of Parties, annexed with the application, be tagged at appropriate place.

Registry to do the needful.

CM-3771-CI-2022

Application for placing on record Settlement Agreement dated 16.08.2022 (Annexure C-1) arrived at between appellants as well as private respondents.

Notice of the application to the non-applicants/respondents.

Learned Counsel for the non-applicants/respondents have no objection in case the present application is allowed.

In view of above and for the reasons mentioned in the application, the same is allowed subject to all just exceptions.

Registry will do the needful.

MAIN CASE

On oral request of learned Counsel for the appellant, main appeal is taken up on Board today itself.

Present appeal has been filed for setting aside the impugned judgment and decree dated 30.11.2016, passed by learned Additional District Judge, Faridabad.

Jointly stated that matter has been compromised between the appellants as well as private respondent Nos.3 to 13.

Even learned State Counsel has no objection regarding the settlement entered into between the private parties as no State interest is involved in the matter.

In view of above, present appeal is disposed off in terms of the Settlement dated 16.08.2022 (C-1).

It is made clear that both sides i.e. appellants & respondent Nos.3 to 13 shall be bound by the settlement, noticed hereinabove.

March 9th, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>