

LPA-1147-2022 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA-1147-2022 (O&M)

Date of decision: 30.10.2023

Khajanchi Singh

....Appellant.

Versus

The Deputy Commissioner and others

...Respondents.

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Pawan Attri, Advocate
for the appellant.

Mr. Dushyant Saharan, AAG, Haryana.

Mr. Vansh Malhotra, Advocate
for respondents No.2 and 3.

DEEPAK SIBAL, J. (Oral)

Through the present Intra Court Appeal, the appellant assails the order dated 01.12.2022 passed by a learned Single Judge of this Court dismissing the appellant's writ petition through which he had sought quashing of the order dated 08.04.2022 passed by the Deputy Commissioner-cum-Appellate Tribunal, Kaithal (for short, the Tribunal) directing the appellant and his brother to vacate the house owned by the private respondents No.2 and 3 (parents of the appellant).

2. On December 16, 2022 a Co-ordinate Bench of this Court had passed the following order:-

“We are primarily not inclined to accept the submissions

on the part of the appellant on the aspect of merits of the case, however, on a submission made by the counsel for the appellant that the appellant would clear all the dues of maintenance and the matter may be referred to the Mediation and Conciliation Centre for an amicable resolution of the dispute as the dispute is between not only the appellant-son but two other sons and the parents, to test the bona fides of the appellant, hearing of the case is deferred to 23.12.2022.

The proof of the deposit of the amount due towards maintenance be produced on the next date of hearing.”

3. In pursuance to the afore quoted order, the appellant had deposited Rs.25,000/- each in the bank accounts of his father and mother after which this Court passed the following order on 23.12.2022:-

“In compliance with the order dated 16.12.2022, learned counsel for the appellant has produced two receipts relating to deposit of Rs.25,000/- each in the account of respondents No.2 and 3, respectively.

Let notice be issued to the private respondents to explore the possibility of the settlement.

Dasti only.

Adjourned to 09.01.2023.

Status quo with regard to possession as it exists today be maintained till the next date of hearing.”

4. A perusal of the afore quoted orders reveal that notice in this appeal was issued only to explore the possibility of settlement between the contesting parties.

5. In pursuance to the notice issued by this Court, learned counsel for respondents No.2 and 3 has appeared and stated that in the light of the appellant's conduct towards his parents, there is no possibility of any amicable settlement.

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6. In view of the above no further orders are required to be passed in the present appeal and therefore, the same is ordered to be formally dismissed.
7. No costs.
8. All pending applications, if any, also stand disposed of accordingly.

(DEEPAK SIBAL)
JUDGE

(SUKHVINDER KAUR)
JUDGE

30.10.2023
Komal

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