



CR-4412-2017(O&M)

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-4412-2017(O&M)

Date of decision : 01.10.2024

Balwinder Singh

... Petitioner

Versus

Gurvinder Singh (since deceased) through his legal heirs

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Dr.Hardeep Singh, Advocate for
Mr. L.S. Mann, Advocate
for the petitioner.

Mr.P.S. Chahal, Advocate for
Mr. G.S. Nagra, Advocate
for the respondents.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 25.05.2017 (Annexure P-5) vide which the application filed by the petitioner under Order 6 Rule 17 CPC for amendment of written statement has been dismissed.

2. A perusal of the paper book would show that the matter was referred to the Mediation and Conciliation Centre of this Court vide order dated 27.02.2023.

3. Learned counsel for the petitioner as well as learned counsel for the respondents have jointly submitted that a detailed settlement dated

**CR-4412-2017(O&M)****2**

12.05.2023 has been arrived at between the parties and the said compromise/ settlement has been placed on the file of this Court as Annexure A-1.

4. Learned counsel for the respondents has submitted that as per clause 6(d) of the compromise, the respondents i.e., the second party had to execute the transfer / registry deed with respect to land measuring 22 kanals 18 marlas in favour of the petitioner i.e., the first party on or before 22.05.2023 and since the respondents were abroad, thus the same could not be done and he undertakes on behalf of the respondents to do the needful on or before 31.01.2025. It is submitted that with the said modification, the present petition be disposed of in terms of the compromise.

5. Learned counsel for the petitioner has submitted that the respondents be bound by the statement made before this Court and in case the respondents back out from the said statement, then liberty be granted to the petitioner to revive the present petition by moving appropriate application.

6. Keeping in view the above said facts and circumstances, the present petition is disposed of in terms of the settlement dated 12.05.2023 arrived at the Mediation and Conciliation Centre of this Court with the modification that the respondents are given an opportunity to comply with clause 6(d) of the compromise on or before 31.01.2025 instead of 22.05.2023.

7. It is made clear that in case the respondents do not comply the said condition or any other condition, then it would be open to the petitioner



CR-4412-2017(O&M) **3**

to revive the present petition.

7. Pending application, if any, stands disposed of in view of the abovesaid order.

(VIKAS BAHL)
JUDGE

October 01, 2024
Davinder Kumar

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