



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA No. 1561 of 2024 (O&M)
Date of Decision: 18.07.2024

Sukhdeep Singh

..... Appellant

Versus

Mukhtiar Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kamaldeep Singh Sidhu, Advocate
for the appellant-plaintiff.

HARKESH MANUJA, J. (ORAL)

By way of present appeal, challenge has been laid to the judgment and decree dated 17.10.2023 passed by the Court of Additional District Judge, Moga (**hereinafter to be referred as “First Appellate Court”**), whereby an appeal filed against the judgment and decree dated 01.08.2018 passed by the Court of Additional Civil Judge (Senior Division), Baghapurana (**hereinafter to be referred as “trial Court”**), partly decreeing the suit for possession as owner by way of specific performance of contract dated 06.03.2013, filed at the instance of appellant-plaintiff, was dismissed, thereby affirming the judgment and decree passed by the trial Court.

[2] Briefly stating, the appellant-plaintiff filed a suit for possession by way of specific performance of agreement dated 06.03.2013 regarding plot measuring 6 marlas 4 sarsahies, which was partly decreed

vide judgment and decree dated 01.08.2018 passed by the trial Court. Aggrieved thereof, the appellant-plaintiff filed first appeal, the same came to be dismissed vide judgment and decree dated 17.10.2023 passed by the First Appellate Court, while affirming the findings recorded by the trial Court. Hence, the present second appeal.

[3] Notice in the present appeal has not been issued as yet.

[4] Learned counsel for the appellant submits that during pendency of the present appeal, a compromise dated 05.07.2024 (annexed with the application as Annexure A-1) has been arrived at between the parties; thus, by filing an application bearing **CM No. 6851-C of 2024**, the applicant-appellant does not pursue the present appeal any further and prays for withdrawal of the same.

[5] In view of the aforesaid development, **CM No. 6851-C of 2024** is **allowed** and in view of its contents, the **main appeal** is ordered to be **dismissed as withdrawn**.

[6] Pending miscellaneous application(s), if any, shall also stand disposed off.

July 18, 2024

'dk karma

**(HARKESH MANUJA)
JUDGE**

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