

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

128

RSA-1443-1992 (O&M)
Date of decision: 29.04.2024

MOHENDERPAL KAUR AND OTHERSAppellants

VERSUS

PARAMJIT SINGH AND OTHERSRespondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. M.L. Saggar, Senior Advocate with
Ms. Armann Saggar, Advocate
for the appellants.

Mr. Satinder Khanna, Advocate
for respondents No.1 to 3.
(Through Video Conferencing).

VINOD S. BHARDWAJ, J. (Oral)

CM-10641-C-2023

The instant application has been filed under Section 151 of the Code of Civil Procedure, 1908 for pre-poning the date of hearing of the main case.

Since the main case is listed for hearing today, the present application has been rendered infructuous.

Disposed of as having become rendered infructuous.

RSA-1443-1992 (O&M)

The appellant-defendant is in an appeal against the judgment passed by the Court of Sub Judge, First Class, Ludhiana in Civil Suit No. 266 dated 04.09.82 and 121 dated 09.04.1984 decided vide judgment and decree dated 14.11.1985 as well as the subsequent dismissal of the appeal by the Additional District Judge, Ludhiana in Civil Appeal No. 686/2/34/70/77/68 of 1986--87-90 vide judgment and

decree dated 27.05.1991.

Learned counsel appearing on behalf of the appellants contends that the parties have already entered into a settlement on 22.05.1993 (Annexure A-1). The aforesaid affidavit has been placed on record by the appellant alongwith CM-10642-C-2023 under Order 23 Rules 3 of CPC to record the said compromise.

There is no representation on behalf of the respondents No.1 to 3 and the counsel pleads that he has no instructions. He seeks withdrawal of his power of attorney.

The compromise thus remains uncontroverted.

Learned Senior Counsel for the appellants further contends that the appeal may be disposed of as not pressed in view of the compromise effected between the parties at this stage which has already been acted upon.

The present appeal is accordingly disposed of as not pressed in view of the settlement amongst the parties as claimed by the counsel for the appellant which has already been acted upon. Liberty is, however, granted to the respondents to seek revival of the present appeal in case the aforesaid statement with respect to the settlement amongst the parties is found to be incorrect.

All the pending miscellaneous application(s), if any, are also disposed of.

(VINOD S. BHARDWAJ)

JUDGE

APRIL 29, 2024

Vishal sharma

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No