

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

121

2024:PHHC:029807

RSA-426-1994 (O&M)
Date of decision: 01.03.2024

DULIA (DECEASED) THROUGH LRS AND ANR.

..Appellants

Versus

KIDARA (DECEASED) THROUGH LRS AND ANR.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Somnath Saini, Advocate
for the appellants.

Mr. C.S. Singh, Advocate
for LR's of respondent No.1.

ANIL KSHETARPAL, J(Oral)

CM-430-C-2021 in/and RSA-426-1994

1. This is an application filed under Order XXIII Rule 1 of the Code of Civil Procedure, 1908, for deciding the appeal in terms of the settlement dated 31.05.2020. In fact, the application should have been filed under Order XXIII Rule 3 of the Code of Civil Procedure, 1908.
2. Only a photocopy of the settlement has been attached with the application.
3. On the request of the Court, another copy of the settlement has been produced, which is attested by the Sarpanch of the Village. It is again a photocopy of the original settlement deed.
4. The learned counsel representing the parties jointly pray for disposal of the appeal in terms of the settlement. They submit that the parties have already acted upon the aforesaid settlement.

5. Keeping in the aforesaid facts, the attested copy of the settlement deed is taken on record as Mark C-1.
6. The present appeal is disposed of in terms of the settlement, which shall form a part of the decree.
7. All the pending miscellaneous applications, if any, are also disposed of.

March 01st, 2024
Ay

(ANIL KSHETARPAL)
JUDGE

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