

2024:PHHC:037844

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

206-2

RSA-832-1996 (O&M)
Date of decision : 15.03.2024

Randhir Singh deceased through LRs and Others ... Appellant(s)

Versus

Satbir Singh deceased through LRs and Another ...Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Kulvir Narwal, Advocate

Mr. Shubham Chaudhary, Advocate and

Mr. Satish Kumar, Advocate for the appellants.

Mr. Keshav Pratap Singh, Advocate and

Mr. Nitin Sansanwal, Advocate for the respondents.

ALKA SARIN, J. (ORAL)

1. The present appeal has been preferred by the defendant-appellants challenging the judgments and decrees dated 03/05.12.1994 and 15.12.1995 passed by the Trial Court and the First Appellate Court, respectively decreeing the suit for possession by way of pre-emption filed by the plaintiff-respondents herein.

2. During the pendency of the present appeal, the parties have entered into a compromise, which has been placed on record alongwith CM-12911-C-2023 in RSA-832-1996 as Ex.C-1. Though the learned counsel for the respondents had initially opposed the factum of compromise, however,

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subsequently, vide order dated 13.02.2024, the parties were directed to get their statements recorded before the Mediation and Conciliation Centre at Rohtak. A report has since been received. As per the report of the Mediator, the parties have voluntarily entered into a compromise. The compromise which is now marked as Ex.C-1, has been accepted and verified by the parties and statements have also been recorded. The affidavits of the appellants and respondents have already been placed on the record alongwith the report.

3. In view of the above, the present appeal is allowed in terms of the compromise Ex.C-1. The judgments and decrees dated 03/05.12.1994 and 15.12.1995 passed by the Trial Court and the First Appellate Court, are set aside. The compromise Ex.C-1 be made a part of the decree sheet. As per the compromise Ex.C-1, the pre-emption amount deposited by the plaintiff-respondents is to be returned to which the defendant-appellants would have no objection.

15.03.2024
Ankur

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO