

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101 RSA-5192-2003 (O&M).
Date of Decision: 02.05.2024.

Bimla Devi (since deceased) through LR and another
.....Appellants.

Versus

Lakshmi (since deceased) through LRs and others
.....Respondents.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Sanjiv Gupta Advocate for appellants.

Mr. Ram Lal Gupta, Advocate and
Mr. Suresh Kumar, Advocate for respondents.

Lalit Batra, J.(Oral)

On joint request of learned counsel for the parties, the main appeal is taken on Board today itself.

2. Initially, Sunder Lal claiming himself to be adopted son of Late Shri Kundan Lal and defendant No.1 Lachhmi Devi, filed suit for declaration to the effect that defendant No.1-Lachhmi Devi without consent and authority of plaintiff and despite objections raised by him, sold the shops in dispute to defendants No.2 to 5, vide two sale deeds dated 25.07.1985, which are illegal and without any right. The said suit was dismissed by learned Additional Senior Sub Judge, Faridkot, vide judgment and decree dated 29.10.1993.

Plaintiffs preferred an appeal before learned First Appellate Court, against the said judgment and decree, which was dismissed by learned Additional District Judge, Faridkot, vide judgment and decree dated 01.06.2002 and cross-objections were accepted.

3. Vide order dated 22.04.2024, with the concurrence of both learned counsel and the parties present in Court, the matter was referred to the Mediation and Conciliation Centre of this Court.

4. Report has been received from Mediation and Conciliation Centre of this Court, in terms of which, parties have settled their dispute by way of an amicable settlement/agreement dated 29.04.2024.

5. Learned counsel for the parties submit that during the pendency of instant appeal, parties have entered into settlement/compromise on 29.04.2024, which has been reduced into writing and the said settlement/compromise has been placed on record as Annexure A-1. They further submit that in terms of averments made in the settlement/compromise dated 29.04.2024, appellants/plaintiffs want to withdraw Civil Suit No.130 dated 05.03.1986 titled “Sunder Lal (since deceased) through LR. vs. Lachhmi Devi and others” and further instant appeal may be dismissed as withdrawn.

6. In view of above, the instant appeal is dismissed as withdrawn. Civil Suit No.130 dated 05.03.1986 titled “Sunder Lal (since deceased) through LR. vs. Lachhmi Devi and others” is dismissed as withdrawn.

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Settlement/compromise dated 29.04.2024 (Annexure A-1) shall form part and parcel of this order.

7. Pending application(s), if any, also stands disposed of.

(LALIT BATRA)
JUDGE

02.05.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No