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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-704-2023
Date of decision: 20.05.2024

Jagjit Singh and others

...Petitioners

Versus

District Magistrate, Faridkot and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ravish Bansal, Advocate for the petitioners.

Mr. T. P. S. Chawla, Sr. DAG, Punjab.

Mr. Abhinav Jain, Advocate for respondent No. 3.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of certiorari for setting aside the order dated 19.09.2019 (Annexure P-7) passed by the Maintenance Tribunal-respondent No. 2 and order dated 14.07.2022 (Annexure P-8) passed by the Appellate Tribunal/respondent No.1 whereby transfer deed No.2451 dated 04.01.2015 (Annexure P-1) executed by respondent No.3 in favour of his both sons has been set aside.
2. Learned counsel for the petitioners as well as counsel for respondent No.3 have jointly submitted that in the present case, the compromise has been effected between the parties and as per the said



compromise, respondent No.3 has no objection in case, the present writ petition is allowed and the impugned orders are set aside and the transfer deed dated 04.01.2015 executed by respondent No. 3 in favour of petitioner No. 1 is restored/upheld.

3. In support of the said compromise, learned counsel for respondent No. 3 has submitted an affidavit of respondent No.3 which is taken on record as Mark "A". The relevant portion of the said compromise is reproduced hereinbelow:-

"4. That, thereafter good sense prevailed upon the parties and they amicably compromised the matter amongst each other with the intervention of common relatives and respectable persons in July- 2023. The deponent had also furnished an affidavit dated 27.07.2023 in pursuance of said compromise. The parties have also executed a compromise dated 18.05.2024.

5. That in pursuance to the compromise, the deponent has no objection in case the present Writ Petition is allowed and the impugned orders are set aside and Transfer Deed dated 04.01.2016 executed by deponent in favour of Jagjit Singh petitioner No.1 is restored/upheld.

Place- Baghapurana

Sd/-

Date-18.05.2024

Sukhdev Singh Deponent

Verification:-

Verified that the contents of my above statement are true and correct as per my knowledge and information and no part of it is false and nothing relevant has been kept concealed therein.

Place- Baghapurana

Sd/-



Date-18.05.2024

Sukhdev Singh Deponent”

4. It has been jointly submitted by learned counsel for the parties that in view of the above, the present writ petition be allowed and the impugned orders be set aside.
5. Keeping in view the abovesaid facts and circumstances as well as the joint statement made by learned counsel for the petitioners as well as respondent No.3, the present Civil Writ Petition is allowed and the impugned orders dated 19.09.2019 (Annexure P-7) and 14.07.2022 (Annexure P-8) are set aside and the transfer deed dated 04.01.2015 executed by respondent No.3 in favour of petitioner No. 1 is upheld/restored.

20.05.2024
Pawan

(VIKAS BAHL)
JUDGE

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