



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CM No. 6808-C of 2024 in/and
RSA No. 1613 of 2021 (O&M)
Date of Decision: 22.07.2024

Kulwant Rai

..... Appellant

Versus

Jagan Nath (deceased) through LRs and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Anil Bansal, Advocate
for the applicant-appellant/plaintiff.

HARKESH MANUJA, J. (ORAL)

By way of present appeal, challenge has been laid to the judgment and decree dated 13.09.2021 passed by the Court of Additional District Judge, Bathinda (**hereinafter to be referred as “First Appellate Court”**), whereby an appeal filed against the judgment and decree dated 14.02.2017 passed by the Court of Additional Civil Judge (Senior Division), Phul (**hereinafter to be referred as “trial Court”**), dismissing the suit for possession and permanent injunction, filed at the instance of appellant-plaintiff, was dismissed, thereby upholding the judgment and decree passed by the trial Court.

[2] Notice of the main appeal stood issued vide order dated 18.07.2022 passed by this Court, which stands listed for hearing on 16.09.2024.

[3] Now, an application bearing **CM No. 6808-C of 2024** has been moved on behalf of the applicant-appellant, seeking withdrawal of the main appeal in view of the compromise dated 17.05.2024 having been arrived at between the parties as well as for preponement of the date of hearing of main appeal from 16.09.2024.

[4] Notice of the aforesaid application.

[5] Mr. J.K. Singla, Advocate, accepts notice on behalf of respondent No. 1 (ii) and admits the factum of the aforesaid compromise and has no objection against the prayer made in the aforesaid application.

[6] With the consent of learned counsel for the parties, the date of hearing of main case is preponed from 16.09.2024 and is taken up today itself.

[7] In view of the aforesaid development, **CM No. 6808-C of 2024** is **allowed** and the **main appeal** is ordered to be **dismissed as withdrawn**.

[8] Pending miscellaneous application(s), if any, shall also stand disposed off.

July 22, 2024
'dk karma

(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>