

2024:PHHC:145333



235-Urgent

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

**CM No. 10542-C of 2024;
CM No. 10543-C of 2024 in/and
RSA No. 151 of 2016 (O&M)
Date of Decision: 07.11.2024**

Sukhdarshan Singh and others

..... Appellants

Versus

Sukhmander Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Deepak Gupta, Advocate
for the applicants-appellants.

Mr. Deepak Aggarwal, Advocate, for respondent No. 1
(through video-conferencing)

HARKESH MANUJA, J. (ORAL)

CM No. 10542-C of 2024

Prayer in the present application moved on behalf of the applicants-appellants, is for bringing on record the legal representative(s) of appellant No.1-Sukhdarshan Singh.

Notice of the application.

On asking of the Court, Mr. Deepak Aggarwal, Advocate, accepts notice on behalf of respondent No. 1 and raises no objection against the prayer made in the application.

In view of the above as well as contents of the application, the same is allowed and the persons, as prayed for, are ordered to be brought on record as legal representatives of appellant No. 1 for the purpose of pursuing

the appeal, subject to all just exceptions. Amended memo of parties is taken on record.

Registry to do the needful.

CM No. 10543-C of 2024 in/and
RSA No. 151 of 2016 (O&M)

By way of present appeal, challenge has been laid to the judgment and decree dated 25.09.2015 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 13.11.2014 passed by the Court of Civil Judge (Junior Division), Bathinda (**hereinafter to be referred as “trial Court”**), decreeing the suit for declaration with consequential relief of permanent injunction, filed at the instance of appellant No. 1-Sukhdarshan Singh, was allowed, thereby setting aside the judgment and decree passed by the trial Court.

[2] Notice of the main appeal stood issued vide order dated 18.01.2016 passed by this Court, which stands listed for hearing on 29.04.2025.

[3] Now, an application bearing **CM No. 10543-C of 2024** has been moved on behalf of the applicants-appellants, seeking withdrawal of the main appeal in view of the compromise dated 25.09.2024 (Annexure A-2) having been arrived at between the parties as well as for taking up the main appeal today itself.

[4] Notice of the aforesaid application.

[5] Upon advance notice, Mr. Deepak Aggarwal, Advocate, accepts notice on behalf of respondent No. 1 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 main appeal is taken up today itself.

[7] The dispute is stated to be between the close relations. In view of the aforesaid development, **CM No. 10543-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.

November 07, 2024
'dk karma

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No