



RSA-4535-2018

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

103+231

**CM-10090-C-2024,
CM-10091-C-2024 and
CM-10092-C-2024 in/and
RSA-4535-2018 (O & M)
Date of decision: 25.10.2024**

BHINDER SINGH ...Appellant

Versus

RAJ KUMAR ...Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. G.S.Punia, Sr. Advocate with
Ms. Harveen Kaur, Advocate,
for the appellant.

Mr. Kartikey Chopra, Advocate for
Mr. Praduman Garg, Advocate,
for the respondent.

RAJBIR SEHRAWAT, J. (Oral)

CM-10090-C-2024

1. This is an application for impleading the legal representatives of appellant-Bhinder Singh (since deceased).
 2. For the reasons mentioned in the application, the same is allowed, subject to all just exceptions. The persons mentioned in para 2 of the application are ordered to be impleaded as legal heirs of the deceased-appellant, for the limited purpose of pursuing the present appeal only.
- Amended memo of parties is taken on record.

CM-10092-C-2024

1. Learned Senior Counsel for the applicant-appellant seeks

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permission to withdraw the present application seeking refund of court fee.

2. Dismissed as withdrawn.

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1. This is the regular second appeal filed by the appellant-defendant challenging the judgment and decree dated 24.04.2018 passed by the Additional District Judge, Fatehgarh Sahib, vide which judgment and decree dated 19.03.2015 passed by the Civil Judge (Jr. Divn.), Amloh, have been set aside and the suit of the respondent-plaintiff has been decreed with costs.

2. During pendency of the present appeal, the appellant has filed CM-10091-C-2024; with an assertion that the matter has been amicably settled between the parties and the same be disposed of in terms of the compromise. The compromise deed filed alongwith CM-10091-C-2024, is taken on record as Annexure A-1.

3. Counsel for the appellant-defendant has submitted that the matter has since been settled between the parties in pursuance of the compromise deed (Annexure A-1). Therefore, the impugned judgment and decree passed by the lower Appellate Court, deserve to be set aside, in terms of the compromise arrived at between the parties.

4. Counsel for the respondent has not disputed the factum of compromise effected between the parties, and he has no objection, if the judgment and decree passed by the lower Appellate Court, are set aside; by disposing of the present appeal in terms of the said compromise deed (Annexure A-1).



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5. In view of the above, the judgment and decree dated 24.04.2018 passed by the Additional District Judge, Fatehgarh Sahib, are set aside. The appeal is disposed of in terms of compromise. The compromise deed (Annexure A-1) be made part of the decree.
6. Pending application, if any, shall stand disposed of.

25.10.2024
parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No