



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

107

RSA No.6191 of 2018 (O&M)
Date of Decision : 23.05.2024

Kulwant Rai

....Appellant

VERSUS

Vidya Devi (deceased) through her legal heirs and Ors.

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Santosh Sharma, Advocate for the appellant.

Mr. K.S. Brar, Advocate for respondent No.1.

ALKA SARIN, J. (Oral)**CM-5603-C-2024**

1. This is an application under Section 151 of the Code of Civil Procedure, 1908 for preponing the date of hearing in the main case (RSA-6191-2018) from 03.09.2024 to an early date on the ground that there has been a compromise between the parties.

2. Notice of the application.

3. Mr. K.S. Brar, Advocate, counsel for respondent No.1 accepts notice of the application and states that he has no objection if the present application is allowed.

4. For the reasons stated in the application, the same is allowed.

With the consent of learned counsel for the parties, the main appeal is taken on Board today itself.

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5. The present application is for allowing the appeal in terms of the compromise deed dated 17.05.2024.

6. Notice of the application.

7. Mr. K.S. Brar, Advocate, counsel for respondent No.1 accepts notice of the application and does not dispute the factum of the compromise before the Mediation and Conciliation Centre of this Court.

8. For the reasons stated in the application, the same is allowed.

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9. Learned counsel for the appellant has referred to a compromise dated 17.05.2024 entered into between the parties before the Mediation and Conciliation Centre of this Court. As per the compromise, all 09 cases which have been instituted by the parties against each other stand settled and as per the compromise the present regular second appeal is to be allowed and the suit of the plaintiff-respondent No.1 is to be dismissed.

10. Learned counsel for the plaintiff-respondent No.1 does not dispute the factum of the compromise and the fact that as per the compromise the present appeal is to be allowed and the suit of the plaintiff-respondent No.1 is to be dismissed.

11. In view of the above and in view of the compromise dated 17.05.2024, which has been signed by all the parties concerned, the present appeal is allowed and the judgment and the decree passed by the First Appellate Court is set aside and that of the Trial Court is restored.



12. Disposed off in the above terms. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

23.05.2024

jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO