



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

(115)

**CM-2552-54-C of 2025 in/and
XOBJC-4 of 2023 and
CM-2558-61-C of 2025 in/and
RSA No.744 of 2020 (O&M)
Date of Decision: 06.03.2025**

Kashmir Singh

...Appellant

Versus

Balwinder Singh Gill

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. R.S.Athwal, Advocate and
Mr. T.P. S. Bawa, Advocate
for non-applicant-appellant.

Mr. Sarju Puri, Advocate
and Ms. Kudrat Sareen, Advocate
for applicant-LR's of respondent (i)/Cross-objector.

VIKRAM AGGARWAL, J (ORAL)

CM-2558-C of 2025.

Prayer in the instant application is for preponing the date of hearing in the appeal from 07.08.2025 to some earlier date.

Learned counsel for the parties submit that the parties have arrived at a compromise and in view of the same, applications have been moved for disposal of the Regular Second Appeal and the Cross-objections in terms of the compromise. They pray that under the circumstances, the matter be preponed.

For the reasons mentioned in the application and taking into consideration the submissions made by learned counsel for the parties, the application is allowed and the Regular Second Appeal is preponed from 07.08.2025 to today.

CM-2552-C of 2025 and 2559-C of 2025.

These applications have been moved for placing on record Annexures R-1 and R-2 and for exemption from filing certified copies thereof.

For the reasons mentioned in the application, the same are allowed and Annexures R-1 and R-2 are taken on record.

CM-2553-C-2025 and CM-2560-C of 2025.

These applications have been preferred under Order 22 Rule 4 read with Section 151 CPC for bringing on record the legal representatives of Balwinder Singh Gill (respondent/Cross-objector).

It has been averred in the application that Balwinder Singh Gill (respondent/Cross-objector) had unfortunately expired on 01.05.2023, leaving behind the legal representatives mentioned in para-2 of the application. It has also been averred that apart from the legal heirs mentioned in para-2, there is no other legal heirs of the deceased-Balwinder Singh Gill. It has further been averred that a registered Will dated 26.11.2010 was executed in favour of Amarjit Kaur Gill and Kamalpreet Singh Gill. A copy of the Will has been placed on record as Annexure R-1. However, this Court refrains from commenting upon the validity or otherwise of the Will.

For the reasons mentioned in the applications and keeping in view that apart from the legal heirs mentioned in para-2 of the application, there are no legal heirs of Balwinder Singh Gill, the applications are allowed and legal representatives of Balwinder Singh Gill are brought on record.

Amended memo of parties is taken on record.

**CM-2554-C of 2025 in/and XOBJC-4-2023 &
CM- 2561-C of 2025 in/and RSA-744-2020**

These applications have been moved under Order 23 Rule 1 and 3 read with Section 151 CPC for withdrawal of the cross-objections and for disposal of the Regular Second Appeal in terms of the compromise arrived at between the parties on 23.01.2024, which has been placed on record as Annexure R-2.

Learned counsel for the parties submit that the matter has been amicably settled and a compromise has been arrived at between the parties which has been reduced into writing vide compromise deed dated 23.01.2024.

Learned counsel for the appellant submits that the amount due to be paid in terms of the compromise has duly been paid today which is admitted by learned counsel for the respondent. Parties are present in person also and have been identified by their counsel. It would be relevant to mention that Smt. Amarjit Kaur Gill is also appearing on behalf of Mr. Kamalpreet Singh Gill as she is stated to be the Power of Attorney Holder of the said Kamalpreet Singh Gill.

For the reasons mentioned in the application and keeping in view the submissions made by learned counsel for the parties, the cross-objections are dismissed as having been withdrawn. Further, the Regular Second Appeal is disposed of in terms of the compromise dated 23.01.2024, (Annexure R-2). Decree sheet be prepared accordingly and the said compromise be made a part of the decree.

Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

March 06, 2025
Rekha

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