

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

RSA No.892 of 1987
Date of decision: 29.01.2014

Amin Lal & others

-----Appellant(s)

Vs.

Har Narain & others

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE RAKESH KUMAR GARG

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Ajay Jain, Advocate
for the appellants.

Mr. Divanshu Jain, Advocate

Mr. Atul Gaur, Advocate
for of respondents 1 & 3 to 6.

RAKESH KUMAR GARG, J.

Amin Lal (appellant no.1) son of Arjan is present in Court and has been duly identified by his counsel. Hanuman, the General Power of Attorney, as per deed dated 6.9.1993, through whom Mr. Divanshu Jain, Advocate was engaged to represent the respondents, is also present in Court. Ram Niwas son of Har Narain (respondent No.1) who is also representing respondents no.1, 4, 5 and 6 as well as Lali (respondent No.3) daughter of Gharsi are also present in Court.

It has been stated that respondents no.2 and 7 have died. The aforesaid respondents are now being represented through Shri Atul Gaur, Advocate, who has filed his *vakalatnama* along with photocopy of Power of Attorney and also the affidavits of Ram Niwas and Lali. The same are taken on record.

This Court has been informed that the power of attorney in favour of Hanuman has been cancelled by registered deed dated 28.1.2014 and the same is taken on record.

In view of the aforesaid, Mr. Divanshu Jain, Advocate seeks permission of this Court to withdraw his Power of Attorney on behalf of the respondents.

He is allowed to do so.

Counsel for the parties have brought to the notice of this Court that the parties have compromised and as per the affidavit submitted on behalf of Ram Niwas and Lali, they have no objection in case this appeal is accepted and decree for specific performance of agreement to sell is passed in favour of the appellants.

At this stage, it may be noticed that Shri Ram Niwas, the General Power of Attorney of respondents no.1, 4, 5 and 6 as well as Lali (respondent no.3) who are present in Court, have been duly identified by their counsel Shri Atul Gaur, Advocate. The aforesaid persons have duly identified their signatures/thumb impressions on the affidavits filed in the Court today. Moreover, on a query put by the Court, they have accepted that they have no

objection in case the instant appeal is accepted and suit of the appellants is decreed.

In view thereof, keeping in view the submissions made, as noticed above, this appeal is allowed and the judgment and decree of the lower Appellate Court are set aside and the judgment and decree of the trial Court are restored.

January 29, 2014
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[RAKESH KUMAR GARG]
JUDGE