



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

**CM Nos. 5855-C & 5856-C of 2026 in/and
RSA-2046-2012 (O&M)
Date of Decision: 29.04.2026**

The Gurgaon Scheduled Caste and Vimukta Agriculture Thrift and Credit
Society Limited, Gurgaon through Ram Chander, President of the Society

..... Applicant/Appellant

Versus

Pawan and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Akshay Jindal, Senior Advocate assisted by
Mr. Vikram Singh Lakhan, Advocate for the applicant/appellant.

Mr. Anmol Rattan S. Dhillon & Mr. Vishal Pundir, Advocates
for proposed respondent No.5.

MAHABIR SINGH SINDHU, J.

CM-5855-C-2026

Application for preponing date of hearing in main appeal, which is
stated to be pending for 09.07.2026.



CM-5856-C-2026

Application for withdrawal of main appeal in terms of compromise dated 22.04.2026 (A-1/1), arrived at between the parties i.e. appellant and proposed respondent No.5 before Mediation & Conciliation Centre of this Court.

(2) Notice of present applications to the non-applicants/respondents.

(3) Mr. Anmol Rattan S. Dhillon & Mr. Vishal Pundir, Advocates accept notice on behalf of proposed respondent No.5 and raises no objection to the present applications.

(4) In view of above consensus and for the reasons mentioned in applications, duly supported by way of an affidavit of Surenderlal (Authorized person of the Society), same are allowed subject to all just exceptions.

(5) As a result thereof, main appeal is preponed and taken on Board today itself.

(6) Both CMs stand disposed off.

MAIN CASE

Having suffered concurrent adverse findings by learned trial Court as well as First Appellate Court, appellant/plaintiff is in second appeal before this Court assailing learned trial Court judgment & decree dated 31.05.2010, whereby suit for declaration and permanent injunction was dismissed, as upheld by learned First Appellate Court vide judgment & decree dated 06.02.2012.

(2) It transpires that present Regular Second Appeal was disposed off by the then Co-ordinate Bench vide judgment dated 01.02.2016 with the



observation that matter be remanded to learned trial Court for giving decision on merits including counter-claim with reference to pleadings and evidence of parties with further direction to appear before learned trial Court on 29.02.2016.

(3) Also noteworthy that appellant filed review application against order dated 01.02.2016 (*ibid*) and same was dismissed by the then Co-ordinate Bench vide order dated 18.03.2016.

(4) Feeling aggrieved, proposed respondent No.5 approached Hon'ble the Supreme Court by way of SLP (C) Nos.27029-27030 of 2016, which was allowed vide order dated 07.07.2017. For reference, relevant part thereof reads as under:-

“Resultantly, the appeals are allowed, the judgment and order passed by the High Court is set aside and the High Court is requested to adjudicate the Second Appeal accordance with law. As we are remanding the matter, the parties shall maintain status quo, existing as on today, till the Second Appeal is decided by the High Court. There shall be no order as to costs.”

(5) It is apposite to mention here that this Court, vide order dated 16.02.2026, relegated parties to the Mediation & Conciliation Centre for exploring possibility of an amicable settlement on an application (CM-1441-C-2026) moved by appellant.

(6) It is acknowledged by both sides that matter has been amicably settled before learned Mediator and copy of Settlement dated 22.04.2026 (*supra*) is already on record as Annexure A-1/1. For reference, operative part of the Settlement reads as under:-



“6. That both the parties have settled their dispute on the following terms and conditions:-

(i) That the Second Party shall pay an amount of Rs. 1,00,00,000/- (Rupees One Crore only) to the First Party as full and final settlement between the parties with regard to property in dispute.

(ii) That the second party had already paid an amount of Rs.70,00,000/- (Rupees Seventy Lakhs only) to the first party in cash on 18.04.2026.

(iii) That the second party shall pay an amount of Rs.30,00,000/- (Rupees Thirty Lacs only) to the first party through Cash/Demand Draft/Cheque after the disposal of the present RSA.

(vi) That after full and final payment, the first Party and their heirs and successors shall not stake any claim whatsoever on the suit property in their capacity.”

(7) Even before this Court also, learned Counsel for both sides, on instructions, acknowledged that matter has been amicably settled and learned Counsel for appellant submits that present appeal be disposed off in terms of Settlement (*ibid*).

(8) In view of above, there remains no cause pending against each other; therefore, present appeal is disposed off in terms of settlement/compromise dated 22.04.2026.

(9) Also clarified that compromise entered into between the parties shall form part of decree.

(10) Parties shall remain bound by the aforesaid settlement/compromise and in case there is a breach, legal consequences shall follow.



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

29th April, 2026
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No