



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

**CM-5499-5501-C-2026 in/and
RSA-671-2017 (O&M)
Date of decision: 23.04.2026**

KULWINDER RAM (DECEASED) THROUGH LRS AND ORS.

.....Appellants

Versus

SURINDER KAUR (DECEASED) THROUGH LR AND ORS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amit Kohar, Advocate and
Mr. Shrey Sachdeva, Advocate
for the applicant-appellants.

Mr. Prateek Gupta, Advocate
for respondent No. 1.

MAHABIR SINGH SINDHU, J.

CM-5500-C-2026

Application for placing on record settlement dated 16.04.2024
(AX-4) with further prayer seeking exemption from filing certified copy
thereof.

(2) Notice of application to the non-applicant/respondents.

(3) Mr. Prateek Gupta, Advocate accepts notice on behalf of
respondent No.1 and raises no objection to the present application.

(4) For the reasons mentioned in application, same is allowed
subject to all just exceptions.

(5) Registry to tag the aforesaid document at appropriate place.

(6) C.M. stands disposed off.



CM-5499-C-2026

Application for preponing the date of hearing in main case, which is stated to be pending for 18.11.2026.

- (2) Notice of application to the non-applicant/respondents.
- (3) Mr. Prateek Gupta, Advocate accepts notice on behalf of respondent No.1 and raises no objection to the present application.
- (4) For the reasons mentioned in application, same is allowed subject to all just exceptions.
- (5) As a result thereof, main case is preponed and taken up on Board today itself along with **CM No.5501-C-2026** (application for withdrawal of main appeal).
- (6) C.M. stands disposed off.

CM-5501-C-2026 in/and RSA-671-2017

Present Regular Second Appeal (RSA) has been filed by plaintiff(s) and defendant Nos.4 and 5 against judgment and decree dated 07.12.2016 passed by learned First Appellate Court whereby appeal against judgment and decree dated 16.10.2013 passed by learned trial court granting possession in respect of land in question by way of specific performance of Agreement to Sell dated 15.05.2007, was partly allowed and plaintiff(s) were granted alternate relief of recovery of Rs.30 lakh against defendant No.2-Dharampal with interest @ 9 % per annum from the date of agreement till the date of decree and they were also entitled to future interest @ 6 % per annum from date of decree till its final realisation.

- (2) Application (**CM-5501-C-2026**) for withdrawal of the main appeal.



(3) Learned counsel for the applicant-appellants contended that during pendency of present appeal, matter was referred to Mediation and Conciliation Centre by the Co-ordinate Bench of this Court vide order dated 19.03.2024 and settlement was arrived at between the parties before learned Mediator.

(4) Further contends that as per the said settlement, present appeal is liable to be withdrawn on payment of settlement amount to be paid by Parminder Singh, legal representative of respondent No.1, to appellants vide settlement deed dated 16.04.2024 (AX-4).

(5) Also contends that aforesaid amount has been paid by said Parminder Singh to defendant No.6/respondent No.4 - Gurnam Chand, who is special Power of Attorney Holder of all appellants vide two different cheques i.e. cheque bearing No.644442 dated 25.02.2026 amounting to Rs. 55,00,000/- (Rupees Fifty Five Lakh) and cheque bearing No.644443 dated 25.02.2026 amounting to Rs. 50,00,000/- (Rupees Fifty Lakh).

(6) Again contends that amounts of aforesaid cheques has already been realized by the said Gurnam Chand.

(7) Lastly contended that in view of aforesaid payment having been made, the appellants wish to withdraw the present appeal.

(8) Learned counsel for respondent No. 1 raises no objection to the aforesaid submissions.

(9) Heard learned counsel for the parties and perused the paper-book.

(10) It transpires that parties i.e. Parminder Singh (LR of respondent No.1) and Gurnam Chand, respondent No. 4, General Power of Attorney



holder on behalf of all appellants arrived at settlement before learned Mediator on 16.04.2024.

(11) On 30.08.2024, the Co-ordinate Bench passed the following order :-

“This is an application to bring on record the fact that the applicant, namely, Parminder Singh (sole beneficiary of respondent No.1) is the only relevant party for the purposes of the compromise which was reduced into writing before the Mediation and Conciliation Centre of this Court on 16.04.2024.

Notice of the application to the counsel opposite.

Mr. Saksham Mahajan, Advocate for the non applicant/appellants accepts notice.

List on 09.09.2024 i.e. the date fixed in the main appeal.

It is made clear that till the time all the appellants and all the respondents are not signatories to the compromise/agreement, or their affidavits are not filed supporting and giving their no objection to the compromise, the matter will not be disposed off in terms of the compromise.”

(12) Today learned counsel, on instructions from appellants, submits that he may be permitted to withdraw the present appeal simplicitor.

(13) Learned counsel for respondent No. 1 is not averse to the said proposal.

(14) In view of above and without commenting on the merits of case, present RSA is disposed off as withdrawn.

(15) Needless to say that in case the occasion so arises, appellants

would be at liberty to move an appropriate application for revival of appeal and same shall be considered in accordance with law.

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

23rd April, 2026
kavneet singh

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>