



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

**CM No.16539-C of 2025 in/and
RSA-14970-2018 (O&M)
Date of Decision: 20.03.2026**

Rajinder Singh (deceased) through his LRs

..... Applicants/Appellants

Versus

Bhupinder Singh (deceased) through his LRs and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Manu Loona, Advocate for the applicants/appellants.

Mr. Vinod Khunger, Advocate for LRs of respondent No.1.

None for respondent Nos.2 & 3 despite service.

MAHABIR SINGH SINDHU, J.

CM-16539-C-2025

Second application for preponing date of hearing in main appeal,
which is stated to be pending for 08.09.2026, and for withdrawal of same “at
this stage” in terms of compromise dated 11.02.2025 (P-2).



(2) It transpires that notice of present application was issued to the non-applicants/respondents by the Co-ordinate Bench vide order dated 16.01.2026.

(3) Learned Counsel for LR's of respondent No.1 raises no objection to the present application.

(4) In view of above and for the reasons mentioned in application, duly supported by way of an affidavit of Sukhdip Kaur [LR (i) of deceased appellant], same is allowed subject to all just exceptions.

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

(6) CM stands disposed off.

MAIN CASE

Present appeal has been preferred by legal representatives of defendant No.1 against the impugned judgment & decree dated 31.03.2018, passed by learned First Appellate Court, whereby appeal filed by plaintiff/respondent No.1 (since deceased and represented through LR's) was allowed and relief of specific performance was granted in their favour.

(2) Learned Counsel for appellant(s) submits that legal representatives of respondent No.1 (since deceased) are the only contesting respondent(s).

(3) It is apposite to mention here that vide order dated 16.01.2026, the Co-ordinate Bench relegated the parties to appear before the Mediation & Conciliation Centre at Fazilka for recording their statements with regard to compromise.



(4) Learned counsel for the parties i.e. appellant(s) as well as respondent No.1, represented through their respective LR's, jointly stated that matter has been amicably settled between them at their own level.

(5) In pursuance of aforesaid order dated 16.01.2026 (*supra*), report dated 05.02.2026 has been received from Presiding Officer, Mediation & Conciliation Centre/Chief Judicial Magistrate-cum-Secretary, District Legal Services Authority, Fazilka. For reference, relevant part of the same reads as under:-

“It is further submitted that today both the parties appeared before the Mediation & Conciliation Center, Fazilka and their statements were recorded after due identification of first party by Sh. Krishan Gopal Sain, Advocate and second party by Sh. Pardeep Kumar, Advocate. So the compromise effected between the parties is genuine, voluntarily and without any influence or coercion. The joint statements of parties, copy of compromise marked as Ex C1, copies of Aadhar Card of parties (except Kulwinder Kaur and Parvinder Kaur), copy of death certificate of Bhupinder Singh are also enclosed with this report.”

Perusal of above extract reveals that parties have settled the matter amicably before learned Mediator; nothing more survives and they do not want to pursue the matter any further.

(6) In view of above, present appeal is disposed off in terms of settlement/compromise dated 11.02.2025 (P-2) and impugned decree dated 31.03.2018, passed by learned First Appellate Court, is modified to that extent.



- (7) Also clarified that compromise (P-2) entered into between the parties shall form part of decree.
- (8) Parties shall remain bound by the aforesaid settlement/compromise and in case there is a breach, legal consequences shall follow.
- (9) Since matter has been amicably settled; therefore, the Court Fees, affixed on the Memo of Parties of present appeal, be refunded to the appellant(s) in accordance with law by the Registry.
- (10) Further clarified that an amount of ₹ 9,51,172/- (Rupees Nine Lakh Fifty One Thousand One Hundred and Seventy Two only), lying with learned trial Court, be refunded to the LRs of respondent No.1 in terms of compromise (*ibid*).
- (11) Needless to say that interim order dated 09.05.2019, passed by the then Co-ordinate Bench, extended from time to time, shall come to an end, automatically.

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

20.03.2026
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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