

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

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**RSA no. 1987 of 1994 (O & M)
Date of Decision : 30.4.2019**

Ruldu

.....Appellant

v.

Noora (deceased) through LR's and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present : Mr. Kanwal Goyal, Advocate, for the appellant

Mr. Ajay Pal Singh Rana, Advocate, for respondent no. 1

Amol Rattan Singh, J. (Oral)

Mr. Kanwal Goyal, Advocate, appearing for the appellant, has filed in Court today an application (un-numbered) made under Order 23 Rule 3 read with Section 151 of the CPC, seeking disposal of the accompanying appeal on the basis of a compromise entered into between the parties today itself, i.e. on 30.4.2019. The application is seen to be accompanied by the affidavits of the appellant as also of Karmte daughter and surviving legal representative of respondent no.1- Noora. The original compromise deed entered into between them today has also been annexed with the application.

It is to be noticed that respondent no.1 is seen to be represented by two legal representatives in that appeal, of whom his wife, i.e. Hajra, is also stated to have died, with only his daughter i.e. Karmte, having therefore signed the compromise deed.

Respondents no. 2 to 5, i.e. Sadhu, Kale Khan, Bagga Khan, Ruldu and Sehshi @ Chirag Din, are all stated to be proforma respondents, even

though not impleaded in that capacity in the Memo of Parties, which is also stated in paragraph no.4 of the compromise deed to that effect.

That being so, without making any comment on the rights of respondents no. 2 to 5, this appeal is disposed of with the judgments and decrees issued by the learned trial court, i.e. the Sub Judge Ist Class, Malerkotla, dated 8.3.1989, and of the learned first appellate court, i.e. the Additional District Judge, Sangrur, dated 27.2.1993, are modified in terms of the compromise entered into between the appellant and respondent no.1 (through his surviving legal representative), as reflected in the aforesaid compromise deed annexed with the application dated 30.4.2019, the said having been taken on record as Ex. C-1 before this Court.

A decree sheet be issued accordingly, with the Registry also directed to assign an appropriate number to the application taken on record in Court today.

The compromise deed dated 30.4.2019 would be made a part of the decree to be issued in terms of this order.

(AMOL RATTAN SINGH)
JUDGE

30.4.2019

Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No