

(2011) 08 P&H CK 0150

High Court Of Punjab And Haryana At Chandigarh

Case No: Regular Second Appeal No. 3876 of 2008

Sardara Singh alias Dara Singh

APPELLANT

Vs

Randhir Singh and others

RESPONDENT

Date of Decision: Aug. 18, 2011

Hon'ble Judges: Kanwaljit Singh Ahluwalia, J

Bench: Single Bench

Judgement

Kanwaljit Singh Ahluwalia, J.

The present Regular Second Appeal has been filed by the defendant to the suit. Respondent-plaintiffs had instituted a suit for mandatory injunction praying that the appellant-defendant should deliver vacant possession of the house, detail and description of which has been given in the plaint.

2. Mr.J.S. Toor, learned counsel appearing for the appellant has stated that a concurrent finding of fact has been given by both the Courts below that appellant-defendant was a licensee and, therefore, respondents-plaintiffs were entitled to possession. Mr. Toor states that a writing was drawn whereby Rs. 12,000/-were paid by the appellant-defendant to the respondent-plaintiffs. The Courts below had not taken into consideration that writing qua the the demised premisses for want of registration. Mr.Toor states that he will not raise the controversy again and will be satisfied if a sum of Rs. 12,000/-paid to the respondent-plaintiffs is returned by the appellant-defendant so that the parties who are residing in the same village are able to promote everlasting peace and harmony.

3. Mr. Rakesh Chopra, learned counsel appearing for the respondent-plaintiffs has stated that compromise is the finest hour between the parties and in furtherance thereof the respondent-plaintiffs are ready to pay the amount of Rs. 12,000/-today itself. Accordingly the amount has been paid to Mr.Toor for onward disbursement of the same to the appellant-defendant.

4. In view of the broad consensus, which has been noticed in the form of compromise, the present appeal is disposed of.