
(2022) 12 UK CK 0061
In the Uttarakhand High Court
Case No : Second Appeal No. 01 Of 2016

Mange Ram And Others

APPELLANT

Vs

Ved Pal (Deceased) Through Legal Representatives And
Another

RESPONDENT

Date of Decision : 19-12-2022

Acts Referred:

Citation : (2022) 12 UK CK 0061

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Siddhartha Singh, M.S. Tyagi, Chandra Prakash

Final Decision : Dismissed

Judgement

Alok Kumar Verma, J

1. The appellants, namely, Mange Ram and Kashmira are present in-person. Kanwar Pal, Rajbir Singh, the respondents and Krishan Pal, Power of Attorney Holder of the respondent no.2 – Bhopal are present in-person.

2. Heard Mr. Siddhartha Singh, learned counsel for the appellants and Mr. M.S. Tyagi, learned Senior Advocate assisted by Mr. Chandra Prakash, learned counsel for the respondents.

3. Mange Ram and Kashmira, the appellants, are identified by Mr. Siddhartha Singh, Advocate. Mr. Kanwar Pal, Mr. Rajbir Singh, the respondents and Mr. Krishan Pal, Power of Attorney Holder of the respondent no.2 – Bhopal, are identified by Mr. M.S. Tyagi, learned Senior Advocate.

4. Learned Senior Advocate for the respondents submitted that both the parties have arrived at settlement, and, a compromise application along with the affidavits of the respondents have been filed. According to the Agreement (Miscellaneous Application IA No.11975 of 2022), the respondents do not want to contest the present Second Appeal.

5. Mr. Siddhartha Singh, learned counsel for the appellants, submitted that the said Application (IA No.11975 of 2022) has been filed by the appellant nos.3, 4 and 5 through Advocate.

6. Both the parties requested to decide the present Second Appeal in terms of compromise, as mentioned in the said Application (IA No.11975 of 2022) and supported by the affidavits of Kanwar Pal, respondent no.1/1, Rajbir Singh, respondent no.1/2 and Krishan Pal, Power of Attorney holder of the respondent no.2 – Bhopal.

7. The respondents further submitted that they have filed the said agreement along with their affidavits with their free will and without any pressure.

8. The present Second Appeal (No.01 of 2016), filed against the judgment and decree dated 04.08.2015, passed by the learned Additional District Judge, Laksar, District Haridwar in Civil Appeal No.20 of 2013, "Mange Ram and Others vs. Balbir and Others", by which, the said Appeal has been dismissed, which was filed against the dismissal of the Original Suit No.123 of 2001, is allowed in terms of the said Compromise Application (IA No.11975 of 2022). The said Compromise Application (IA No.11975 of 2022) will be part of the decree.