

COURT OF ADDL. DISTRICT JUDGE (FAST TRACK COURT),

BUDGAM

CNR No. JKBG020014272022

Date of Institution: 01.12.2022

Date of Order: 27.07.2023

Name of the Appellant:

1. Mehraj-ud din Dar S/O Late Ab. Gani Dar
2. Ab. Majeed Rather S/O Ab. Ahad Rather
Residents of Hanjooora Chadoora, Budgam.

Through:- Mr. S.S.H Gillani, Advocate
VERSUS

Name of the Respondent:

Parvaiza Rehman D/O Ab. Rehman Wani
W/O Farooq Ahmad Rather
R/O Hanjooora Chadoora Budgam.

Through:- Nemo

In the Matter of:-

**Civil Misc. Appeal against impugned order dated 14.11.2022
passed by the Court of Ld. Judicial Magistrate
(JMJC)/Munsiff, Chadoora**

And:

Application for grant of interim relief.

CORAM: AIJAZ AHMED KHAN
UID No. JK00085

ORDER

1. Upon early hearing submitted by both the counsels, on the ground that the parties have settled the matter amicably the instant appeal was taken up for consideration today.
2. Parties have submitted a compromise deed wherein it is submitted that the respondent has purchased land measuring 02 Kanals under survey No. 274 —mn situated at Patrigam Chadoora from the father of the appellant. The compromise have been arrived in between the parties on the following terms and conditions :

- a. the respondent shall not claim ownership rights over the approach road/pathway measuring 174 x 11—feets leading upto said purchased land of respondent as mentioned in sale deed and instead use the said approach road /pathway for ingress and egress i.e, rights, interests & appearances purposes only without any objection from the appellant.
 - b. the appellant shall maintain the said road and concrete block and the appellant shall have every right to forward the said road as per his choice without any objections from any corner.
 - c. the drain shall be constructed from upper—side of the road and the land which shall come under drain shall form part of the road. Rest terms and conditions of sale deed shall prevail.
 - d. That the appellant shall have no right to block the said road at any point of time.
 - e. That the parties shall not violate the terms and conditions of the compromise in future and if any party violates the terms and conditions of this compromise the violating party is liable for penalty besides legal action shall be initiated against the violating party.
3. In light of the compromise submitted statement of the parties came to be recorded who were identified by Mr. SS H Geelani, Adv whose statement also stands records and stands placed on file.
 4. From the compromise arrived and the statements recorded it appears that the parties have settled the matter amicably in view of which the instant appeal stands accordingly disposed of with a direction to the

trial court to dispose of the suit titled as Pervaiza Rehman Vs Mehraj Ud Din & Anr in light of the compromise arrived in between the parties.

5. Let a copy of this order be sent to trial court for compliance wherein the parties shall cause their appearance on 18-08-2023.
6. Appeal accordingly disposed of and shall go to records after its due compilation.

Announced:
27.07.2022

**Addl. District Judge,
Fast Track Court, Budgam**