

IN THE HIGH COURT OF HIMACHAL PRADESH AT
SHIMLA

CMPMO No. 96 of 2025
Decided on: 16.4.2026

Rajender Prasad

... Petitioner

Versus

Parkash Chand & ors.

...Respondents

Coram

Hon'ble Mr. Justice Virender Singh, Judge

Whether approved for reporting?

For the Petitioner: Mr. Vivek Thakur, Advocate.

For the Respondents : Mr. Viveka Nand, Advocate, for
respondent No. 1 & 2.

Respondents No. 2 to 5 joined
the proceedings through Video
Conferencing.

Virender Singh, Judge (oral)

Petitioner has filed the present petition, under Article 227 of the Constitution of India, for setting aside the order dated 22.2.2025, passed by the learned Additional District Judge, Sarkaghat, District Mandi, H.P. in Civil Suit No. 1 of 2021, titled as, 'Rajender Prasad versus Shri Parkash Chand & others'.

2. During pendency of the proceedings, on 15.9.2025, the matter had been referred to learned

Mediator by appointing Mr. Aman Sood, Advocate, as Mediator. With the efforts made by the learned Mediator, the matter has now been settled between the parties.

3. Today, the petitioner and respondent No. 1 are present before this Court, whereas, respondents No. 2 to 5 have joined the proceedings through Video Conferencing.

4. The matter has been settled between the parties, before the learned Mediator, as respondents No. 2 to 5 have relinquished their shares in favour of petitioner, respondent No. 1 as well as, his two sons. Petitioner and respondent No. 1, in their joint statement, have stated that with the efforts made by the learned Mediator, the dispute involved in the present lis, has been resolved between petitioner, respondent No. 1, and respondents No. 2 to 5. Respondent No. 2 is stated to be the real sister of petitioner and respondent No. 1, whereas, respondents No. 3 to 5 are their niece and nephews (daughters and sons of Bimla Devi, sister of petitioner and respondent No. 1).

5. As per their joint statement, respondents No. 2 to 5 have relinquished their shares, in favour of petitioner and respondent No. 1, as well as, two sons of respondent No. 1. In this regard, petitioner and respondent No. 1 have relied upon the compromise, Ext. PA. The said compromise has taken place between petitioner and respondents No. 1 to 5, by associating two sons of respondent No. 1, Prakash Chand. In pursuance of said settlement, respondents No. 2 to 5 have relinquished their shares, in favour of petitioner and respondent No. 1, as well as, in favour of two sons of respondent No. 1.

6. Not only this, after relinquishment deed, petitioner and respondent No. 1 have partitioned the subject matter of the lis, amongst them seeking private partition has taken place between petitioner Rajender Prasad, respondent No. 1 Prakash Chand and his two sons, Ashok Kumar and Manoj Kumar, vide Annexure PB. Both, the petitioner and respondent No. 1, have also stated that they are bound by the terms and conditions of Ext. PA and PB and given their solemn undertaking to

submit the settlement, which had taken place before the learned Mediator and approved by this Court, before the learned trial Court and get the suit decided as per the aforesaid settlement.

7. Respondents No. 2 to 5 have also made similar statements, with regard to relinquishment of their right in favour of petitioner, respondent No. 1 and two sons of respondent No. 1.

8. In view of above, the present petition is disposed of, being compromised. Parties shall be bound by the statements, so made, as well as, Ext. PA, whereas, petitioner and respondent No. 1 and his two sons shall be bound by the the private partition, Ext. PB.

9. Learned trial Court is requested to decide the matter, in view of the settlement, so taken place, before the learned Mediator, as well as, Ext. PA and Ext. PB.

10. The pending application(s), are also disposed of.

16.4.2026
Kalpana

(Virender Singh)
Judge