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IN THE SUPREME COURT OF INDIA
(CIVIL APPELLATE JURISDICTION)
Civil Appeal No. 3831 of 2007
JAI DEVI

Appellant(s)

VERSUS

OM VED & ANR.

Respondent(s)

O R D E R

Heard learned counsel for the appellant and perused the impugned order dated 23 rd

September, 2003 passed by the learned Single Judge for the Punjab and Haryana High Court in R.S.A.No. 1194 of 1999. From the record, we find that Appellant's father Late Shri Gopal had entered into the compromise in Civil Suit No. 81 of 1986 and the Suit of the Plaintiff- Om Ved and Gobind Ram filed in the year 1986, was decided in terms of the compromise. Subsequently, in the year 1987, the appellant filed a suit seeking a decree of declaration to the effect that the decree dated 21.02.1986 in favour of Om Ved and Gobind Ram and against the appellant's father will not effect the legal rights of the appellant herein to succeed to the land on the death of her father and Om Ved and Gobind Ram be restrained from getting the land mutated in their favour and transfer it by sale or in any other way to third person. It is not in dispute that the Civil Suit No. 81 of 1986 filed by Om Ved and Gobind Ram against Sh. Gopal (father of the present appellant) was decreed on 21.02.1986. The appellant's father had entered into the compromise as he

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was alive till 24.12.1987 even during the time when the appellant had filed the Suit on 06.03.1986. The appellant's father did not challenge the decree or filed his written statement in the present Suit. On this basis, the High Court did not interfere in the Judgment and Order passed by the Trial Court dismissing the appellant's Suit. We find no good ground to interfere as there is no illegality in this matter. Hence, the appeal fails and is dismissed.

â- |.....J.

[R.K. AGRAWAL]

â- |.....J.

[MOHAN M. SHANTANAGODAR]

NEW DELHI;

APRIL 5, 2017.

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ITEM NO.110

COURT NO.9

SECTION IV

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Civil Appeal No(s). 3831/2007

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(With Office Report)

Date : 05/04/2017 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.K. AGRAWAL

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGODAR

For Appellant(s) Ms. Anzu K. Varkey, Adv.

Mr. Ranbir Singh Yadav, Adv.

For Respondent(s) Dr.(Mrs.)Vipin Gupta, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The Civil Appeal is dismissed in terms of the signed order.

(POOJA SEHGAL) (CHANDER BALA)

SR. P.A. COURT MASTER

(Signed order is placed on the file)