

Contract Act, 1872 (9 of 1872) Section 52 – Clause 9 of settlement provided that Party No. 2 & 3 will reside in the house situated at Village Mullanpur which is being transferred in favour of Party No. 2 & 3 and will serve party No. 1 in the old age from today during his life time – The Clause 9 of the settlement is not a condition precedent for the petitioner to perform his part of the agreement – Moreover, both the courts have already held that it is the petitioner who himself is not residing in the village and therefore, the respondents are not obliged to reside in the said village – Dismissed – Family Settlement.

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