

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

VARINDER SINGH
2015.01.15 10:15
Attest to the accuracy and integrity
of this document
Punjab & Haryana High Court at
Chandigarh

CP No. 182 of 2013 (O&M)

Date of decision : 12.1.2015

M/s K. K. Medicare Private Limited

.. Petitioner

VS

Silver Oaks Hospital

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Sanjeev Bansal, Advocate, for the petitioner.

Mr. Inderjit Sharma, Advocate, for the respondent.

Rajesh Bindal, J.

Learned counsel for the respondent has filed affidavit of Akhil Bhargava, Managing Director, Silver Oaks Hospital, dated 12.1.2015, in Court today, stating therein that the balance amount of ₹ 10,50,184/- is sought to be paid in eight equal instalments, for which post dated cheques bearing no. 129616 to 129623, dated 20.1.2015, 20.2.2015, 20.3.2015, 20.4.2015, 20.5.2015, 20.6.2015, 20.7.2015 and 20.8.2015, respectively, each amounting to ₹ 1,32,273 drawn on Corporation Bank, Chandigarh, have been handed over to counsel for the petitioner. Entire payment shall be cleared upto August 20, 2015.

Learned counsel for the petitioner submitted that subject to encashment of the cheques handed over by counsel for the respondent, the claim made in the present petition has been rendered infructuous. The petition may be disposed of with liberty to the petitioner to get the same revived in case any of the cheque is not encashed.

After hearing learned counsel for the parties, the present petition is disposed of as infructuous as the amount due to the petitioner has been undertaken to be paid by the respondent with issuance of eight post dated cheques. However, disposal of the present petition is subject to the condition that if any of the cheques is not cleared on presentation, the petitioner shall have the liberty to get the present petition revived.

12.1.2015

vs

(Rajesh Bindal)

Judge