

IN THE HIGH COURT OF PUNJAB AND HARYANA, AT
CHANDIGARH

CR No. 2137 of 2014

Date of Decision: 21.05.2015

Baba Farid Public School and others

.....Petitioners

Vs.

M/s Karam Chand Pardeep Kumar

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Prashant Bansal, Advocate,
for the petitioners.

Mr. Animesh Sharma, Advocate,
for the respondent.

SABINA, J.

Petitioners have filed this petition challenging the order dated 06.03.2014.

Learned counsel for the petitioners has submitted that qua the amount in question, a compromise has been effected between the parties on 20.12.2013. Despite the compromise, respondent was proceeding with the suit for recovery filed by him.

Learned counsel for the respondent, on the other hand, has denied the compromise (Annexure P-6) qua the civil suit in question.

Respondent has filed suit against the petitioners for recovery of ₹5,07,137.50/-. Respondent has also filed an application

under Order 38 Rule 5 of the Code of Civil Procedure, 1908 (for short 'CPC') for attaching the property of the petitioners. The trial Court vide the impugned order allowed the said application and directed the petitioners to furnish surety bonds in the sum of ₹6,00,000/-. In order to safeguard the interest of the plaintiff, the trial Court has directed the petitioners to furnish surety bonds in the sum of ₹6,00,000/-. The fact as to whether compromise (Annexure A-6) has been effected between the parties or not will be gone into by the trial Court after the parties lead their respective evidence as the execution of the compromise qua the suit in question has been denied by the plaintiff-respondent.

The impugned order being just and fair calls for no interference.

Dismissed.

**(SABINA)
JUDGE**

May 21, 2015
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