

CRR No.1657 of 2013 (O&M)
Date of Decision: 22.04.2015

..... Petitioner

VERSUS

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sahil Gambhir, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

Mr. Rajesh Sethi, Advocate with
Mr. Arun Biriwal, Advocate
for respondent No.2.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

RAJ MOHAN SINGH J. (ORAL)

Notice of motion was issued on 24.07.2013, when on behalf of the petitioner, it was submitted that out of disputed amount of Rs.1,40,000/-, the petitioner had already paid Rs.60,000/- to the complainant.

Petitioner also showed his willingness to pay the remaining amount, thereafter, the case remained pending on number of dates. Ultimately, vide order dated 11.11.2014, following order was passed;

“It is stated by learned counsel for respondent No.2 that before the First Appellate Court, petitioner had agreed to pay an amount of Rs.1,82,000/- in full and final settlement of claim of respondent No.2 and, out of that amount, has paid only an amount of Rs.65,000/-. As such, an amount of Rs.1,17,000/- still remains to be paid by him to respondent No.2.

Learned counsel for the petitioner has brought a demand draft of Rs.75,000/- but period of its validity has already expired. The demand draft, therefore, is returned to learned counsel for the petitioner who seeks some time to bring the entire outstanding amount in terms of the settlement referred to by learned counsel for the second respondent.

Adjourned to 17.02.2015.”

Petitioner was required to bring the entire outstanding amount in terms of the settlement as referred above. On 18.02.2015, learned counsel for the petitioner sought further time to do the needful in the context to pay the outstanding amount.

Thereafter, no payment was made and on 13.03.2015 learned counsel further sought time to comply with the order dated 11.11.2014. Last opportunity was granted to the petitioner to comply with the order.

Today, learned counsel for the petitioner pleads no instructions as the petitioner has not contacted him since long. Left with no alternative, this Court deems it appropriate to dismiss the present case for non prosecution.

Dismissed for non prosecution.

22.04.2015

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(RAJ MOHAN SINGH)
JUDGE