

C.M. NOS.7051-C OF 2013, 10867, 11120, 11785 & 12077 C OF 2015 (O&M)
R.S.A. NO.2654 OF 2013 :{ 1 }:

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

DATE OF DECISION: SEPTEMBER 28, 2015

Jagdish and others

.....Appellants

VERSUS

Manohar Lal

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

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

Present: Ms. Sonia G. Singh, Advocate,
for the appellants.

Mr. Shrey Goel, Advocate,
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

C.M. No.11120 C & 12077 of 2015

Prayer in these applications is for permission to place on record translated copy as also original of the compromise dated 03.09.2015 entered into between the parties as Annexure A-1 and A-2 respectively.

Applications are allowed. The true translated copy as also original of compromise dated 03.09.2015 are taken on record as Annexures A-1 and A-2 respectively.

C.M. No.7051 C of 2013 & R.S.A. No.2654 of 2013

Counsel for the parties state that in the light of the compromise dated 03.09.2015 (Annexure A-2), which has been entered into between the parties, as per which an amount of ₹ five lacs (lump-sum) has been paid to

C.M. NOS.7051-C OF 2013, 10867, 11120, 11785 & 12077 C OF 2015 (O&M)
R.S.A. NO.2654 OF 2013 :{ 2 }:

Manohar Lal, respondent-plaintiff, the present appeal may be disposed of as settled on the basis of said compromise.

In view of the above, the present appeal is disposed of as settled on the basis of the compromise dated 03.09.2015 (Annexure A-2), which shall be part of the decree.

Since the matter has been settled between the parties vide compromise, Annexure A-2, C.M. No.7051-C of 2013, seeking stay of the operation of the impugned judgements and decree also become infructuous and disposed of as such.

C.M. Nos.10867 C and 11785 C of 2015

Prayer in these applications is for refund of the court fee in the light of the compromise dated 03.09.2015 (Annexure A-2) entered into between the parties.

Counsel for the parties have referred to the provisions as contained under Section 16 of the Court Fee Act, 1870 as also Section 89 of the Code of Civil Procedure, 1908 to contend that in the light of compromise dated 03.09.2015 (Annexure A-2), which has come into effect because of the persuasion of the Court, the applicants are entitled to the refund of the court fee deposited by them. Reliance has also been placed upon the judgement of this Court in Pradeep Sonawat Vs. Satish Prakash @ Satish Chandra, 2015 (1) R.C.R. (Civil) 955.

In view of the above, these applications are allowed.

The Court fee deposited by the applicants is ordered to be refunded to the applicants.

September 28, 2015
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE