

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

RSA No.5295 of 2014 (O&M)

Date of Decision: 31.7.2015

Narvair Singh

..... Appellant

Versus

Budhi Parkash and another

..... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. R.S. Mamli, Advocate with
Narvair Singh, appellant

Mr. Arvind Singh, Advocate with
Budhi Parkash, respondent

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J. (Oral)

The parties are present in Court pursuant to the order dated 20.7.2015. They have been heard together with their learned counsel. A consensus has been arrived at between the disputing parties with the intervention of the good Offices of their respective counsel that both the appellant and the respondents agree that the appellant would pay a sum of Rs.2.5 lacs (Rupees two lacs and fifty thousand only) to the respondent-Budhi Parkash as full and final settlement of the dispute.

Consequently, the matter is remitted to the Executing Court where the appellant would pay a sum of Rs.2.5 lacs by draft/pay order drawn in the name of the respondent-Budhi Parkash, on 1.9.2015 before the Executing Court. On payment being made, the Executing Court will pass an appropriate order and consign the file to the record room. In order to give effect to this order, *Rule Nisi* is issued and the fate of the execution proceedings will remain conditional on this order. In case payment is not made, the present appeal shall be treated as

reference to this Court since this order is passed *ad idem*.

Since this case has not been adjudicated by this Court in second appeal, it is ordered that the court fees paid in the court of first instance and in the court of first appeal by the plaintiff-respondents shall be refunded to respondent-Budhi Parkash and accordingly, a direction is issued to the office to furnish the requisite certificate of refund of court fees to the plaintiff-respondent, Budhi Parkash.

The appeal stands disposed of with the above directions.

31.7.2015
MFK

(RAJIV NARAIN RAINA)
JUDGE