

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

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CR-5720 of 2015

DATE OF DECISION: 23.02.2016.

Birender Singh

....Petitioner.

VERSUS

Surender Kumar and others

....Respondents.

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Neeraj Gupta, Advocate for the petitioner.

Mr. Raj Kumar, Advocate for respondent No.3.

Shekher Dhawan, J. (Oral)

Power of Attorney filed on behalf of respondent No.3, is taken on record.

Present petition is challenge to the order dated 13.05.2015 whereby application filed by present petitioner for refund of Court fee was declined.

Learned counsel for the petitioner submitted that the main suit was dismissed having been withdrawn on the basis of compromise between the parties arrived at Lok Adalat and for that purpose, statement of plaintiff Birender Singh was recorded on 24.04.2015 and thereafter, statement of Chief Manager of Oriental Bank of Commerce was also recorded and the matter was disposed of.

In view of the above, the dispute between the parties was settled with the intervention of Lok Adalat on the basis of compromise, present petitioner is certainly entitled to refund of the Court fee as per provision of Section 21 of the Legal Services Authorities Act, 1987 and the

Court below has not considered this fact while passing the order.

Accordingly, the present petition is allowed and order dated
13.05.2015 passed by the Court below is hereby set aside.

(SHEKHER DHAWAN)
JUDGE

23.02.2016.
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