

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

**CR No.7080 of 2015
Date of decision: 04.04.2016**

Gurwinder Singh

.....Petitioner

Versus

Jagroop Singh

.....Respondent

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CORAM: HON'BLE MR. JUSTICE DARSHAN SINGH

**Present: Mr. Harshit Jain, Advocate
for the petitioner.**

**Mr. Gaurav Gogna, Advocate
for the respondent.**

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DARSHAN SINGH, J (ORAL)

This civil revision has been preferred by the petitioner/defendant against the order dated 15.09.2015 (Annexure P-1) passed in execution application titled as “Jagrup Singh Vs. Mohinder Singh” vide which learned Executing Court of Additional Civil Judge (Sr. Divn.), Dhuri, has allowed the application under Order 21 Rule 37 of CPC filed by the respondent and warrant of arrest has been issued against the present petitioner.

2. The matter was referred to the Mediation and Conciliation Centre of this Court, vide order dated 18.02.2016, passed by a Coordinate Bench. The report has been received

from the Mediation and Conciliation Centre that mediation is successful and the matter has been resolved between the parties as per the settlement/agreement dated 30.03.2016 entered into between them. As per the settlement, the petitioner had agreed to pay Rs.75,000/- to the respondent as full and final settlement which was agreed to by the respondent. The aforesaid amount was to be paid in three instalments of Rs.25,000/- each. The first instalment was to be paid on or before 04.04.2016 i.e. the date fixed before this Court in the present revision petition. The second instalment is to be paid in first week of May, 2016 and final instalment is to be paid in first week of June, 2016. The parties have agreed not to initiate or institute any unwarranted litigation.

3. It was further agreed that in case of coming into knowledge of any petition or case filed by any of the parties, the same shall be liable to be withdrawn or closed.

4. Thus, the matter has been resolved amicably before Mediation and Conciliation Centre of this Court and the settlement/agreement dated 30.03.2016 has been reduced into writing between the parties. It is also not disputed that the first instalment of Rs.25,000/- has been paid by the petitioner in terms of the said settlement/agreement.

5. Thus, in view of the settlement arrived at between the parties, the impugned order for issuance of the conditional warrants of arrest of the petitioner is hereby set aside and the

present revision petition stands disposed of in terms of the settlement/agreement dated 30.03.2016. The execution petition filed by the respondent shall remain pending till the payment of the entire agreed amount by the petitioner. The respondent shall be at liberty to move an application for the revival of the impugned order in case the petitioner commits the violation of the terms and conditions of the settlement/agreement dated 30.03.2016.

6. Disposed of accordingly.

04.04.2016
Vinay

[DARSHAN SINGH]
JUDGE