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

**RSA-4168-2013 (O&M)
Date of decision : 02.02.2016**

Sewa Singh

...Appellant

Versus

Jaswant Rai

..Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Aakash Singla, Advocate
for the appellant.

Mr. Harsh Aggarwal, Advocate
for the respondent.

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?

AMIT RAWAL, J. (ORAL)

Learned counsel for the appellant submits that during the pendency of the regular second appeal, the matter has been compromised as the respondent-decree-holder-plaintiff has withdrawn the execution application, and therefore, no cause of action survives in the appeal. Accordingly, the appeal is rendered infructuous.

He further submits that with lot of effort and endeavour, matter has been settled and in this process, considerable amount

has been spent in defending the litigation and prays for refund of the Court fee.

Keeping in view of the aforementioned circumstances and request, the Court fees amounting to ₹ 36,000/- paid at the time of filing of the appeal, is ordered to be refunded to the appellant as per rules.

With the aforesaid observations, the appeal is disposed of.

02.02.2016
yogesh

(AMIT RAWAL)
JUDGE