

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

**RSA No.2751 of 2016 (O&M)
Date of decision:12.12.2016**

Vivek Kumar ... Appellant
Vs.

Saudagar Singh (since deceased) through LR's and others ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Arun Jindal, Advocate
for the appellant.

AMIT RAWAL J. (Oral)

Mr. Arun Jindal, learned counsel appearing on behalf of the appellant-defendant No.3 submits that during the pendency of present Regular Second Appeal, the parties have entered into compromise. The suit at the instance of the respondent-plaintiff was for recovery of loan amount. He seeks liberty of this Court for withdrawal of the present Regular Second Appeal and as well as refund of the court fees paid in this Court. In this regard, he has shown a certified copy of the order dated 20.05.2016, whereby, the execution application filed by the respondent-decree holder has been consigned to record room being satisfied. The copy of the same is taken on record.

I am of the view that since the wisdom had dawned upon the parties and arrived at compromise, appellant-defendant No.3 is entitled to refund of the court fees paid in this Court, in accordance with law.

Resultantly, the Regular Second Appeal is ordered to be dismissed as withdrawn.

**(AMIT RAWAL)
JUDGE**

December 12, 2016

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Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No