

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

**CR No.3663 of 2013 (O&M)
Date of decision: March 09, 2017**

Karam Chand

....Petitioner

Versus

Jasbir Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

Mr. Sandeep Bansal, Advocate
for the respondent.

JASPAL SINGH, J.(ORAL)

CM No.6302-CII of 2016

This is an application moved under Order XXII, Rule 3 read with Section 151 CPC.

Undisputably, applicant-Karam Chand has been taken away by the nature during the pendency of the lis. He is survived by widow, son and daughters, the details of which has been given in Para No.3 of the application.

Learned counsel for the respondents has no objection in case application is allowed and persons mentioned in Para No.3 of the application are brought on record as legal heirs of deceased-Karam Chand.

Accordingly, application is allowed and persons mentioned in Para No.3 of the application are permitted to be impleaded as legal heirs of applicant-Karam Chand for the purposes of the disposal of the instant petition.

Amended memo of parties is taken on record.

CM No.2139-CII of 2017

By virtue of the instant application moved under Section 151 CPC by the applicant/respondent has sought the disposal of the petition as having been rendered infructuous as matter has already been compromised between the parties. He has further sought direction to Registry to disburse an amount of Rs.2,40,000/- deposited by petitioner-Karam Chand to the applicant/respondent.

The contention of learned counsel for the applicant/respondent is that as per the compromise arrived at between the parties, an amount of Rs.2,40,000/- deposited by the petitioner is to be disbursed to the applicant/respondent-Jasbir. This fact has not been disputed by learned counsel for the petitioner. As such, by dismissing the revision petition as having been rendered infructuous, the Registry is directed to refund a sum of Rs.2,40,000/- to the applicant/respondent against proper receipt which was deposited by petitioner-Karam Chand.

March 09, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No