

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

**Crl. Misc. No.6251-6252-6253 of 2017 in/and
CRR No.387 of 2017(O&M)
Date of Decision: March 03, 2017**

Gurpreet Singh

.....PETITIONER(s).

VERSUS

Naresh Midha

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Arvind Singh, Advocate
for the petitioner/non-applicant.

Mr. A.K. Chauhan, Advocate
for respondent/applicant.

SURINDER GUPTA, J.

CRM No. 6251 of 2017

Application is allowed subject to all just exceptions.

CRM No. 6253 of 2017

Application is for placing on record Annexures R-1 and R-2.

The same are taken on record subject to all just exceptions.

Application stands disposed of.

CRM No. 6252 of 2017

This application has been filed by the respondent seeking preponement of the revision petition, which is fixed for 25.04.2017 as the matter has since been amicably settled.

In view of the reasons mentioned in the application, the same is allowed and the main revision petition, which was fixed for 25.04.2017, is

preponed and taken up today for hearing.

CRR No. 387 of 2017

The short relief sought by learned counsel for the petitioner is that the first Appellate Court while disposing of the appeals, has passed orders that in the event of compensation amount of ₹2 lakh being not paid within a period of two months from the date of judgment, the petitioner shall undergo rigorous imprisonment for six months. He submits that the entire amount was paid by the petitioner to the respondent on 17.02.2017 i.e. after the expiry of period of two months, as such, the default clause may be modified.

Learned counsel for the respondent endorses the submission made by learned counsel for the petitioner that the matter has been amicably settled and entire due amount has been paid by the petitioner. He has no objection if the judgment of the first Appellate Court imposing the condition of payment of compensation within two months is modified.

In view of submission of learned counsel for the parties, this petition is disposed of with modification of the judgment passed by the first Appellate Court that petitioner shall not be taken into custody or made to undergo rigorous imprisonment for six months due to non-payment of compensation amount within a period of two months from the date of passing of judgment by first Appellate Court.

Disposed of accordingly.

March 03, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No