

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

RSA No.2154-2016 (O&M)

Date of decision:28.3.2017

Amrik Singh

...Appellant

Versus

Jagir Ram through his LRs

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.A.S.Kalra, Advocate for the appellant.
Mr.S.M.Sharma, Advocate for LRs of respondent No.1.

RAMESHWAR SINGH MALIK, J. (Oral)

When the case came up for hearing on 8.3.2017, following order was passed by this Court:-

“Learned counsel for respondent No.1 submits that parties have already settled the matter amicably. However, he seeks time to place on record relevant document in this regard.

Office is directed to inform learned counsel for the appellant as well.”

Learned counsel for respondent No.1 submits that in compliance of the above-said order, he sought specific instructions from respondent No.1 and he was duly instructed to say that since in the execution application filed by respondent No.1, appellant/judgment debtor has made the payment of agreed amount between the parties and the said amount of Rs.2 lacs has been accepted by the decree-holder towards full and final payment, nothing remains in the present appeal to be argued or decided and the same may be disposed of, as having been rendered infructuous.

The above-said statement made by the learned counsel for contesting respondent No.1-decree holder could not be denied by the learned counsel for the appellant.

Undisputedly, it was a suit for recovery. During the pendency of execution application of the decree-holder/respondent No.1, parties have arrived at an amicable settlement, as per the statement made by respondent No.1. Pursuant to amicable settlement, appellant has made the payment of agreed amount, which has been accepted by the decree-holder/respondent No.1, without raising any objection.

In view of the above-said undisputed fact situation, present appeal is disposed of, as having been rendered infructuous. Pending applications shall also stand disposed of.

28.3.2017
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No