

512 RSA-5301-2014
CONTINENTAL FOOD CORPORATION AND ANR. V/S
PUNJAB NATIONAL BANK AND ORS.

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Present: Mr. Yashasvi Kapila, Advocate along with
 Mr. Krishan Mehta, Partner M/s Continental Food Corporation-
 the appellant.

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The present appeal has been preferred against the judgment and decree of the learned Additional District Judge, Hisar dated August 13, 2014. Learned counsel appearing for the appellants submits that during the pendency of this appeal, the appellants have settled the dispute with the respondent. He has placed on record a letter of bank dated March 27, 2017, wherein it is stated that the borrower has adjusted the loan amount completely under one time settlement scheme on March 27, 2017 towards its liability. He has also placed on record an agreement between the parties, which incorporates the terms & conditions of the settlement. This settles the controversy between the parties. In view of the settlement arrived at between the parties, the appeal stands disposed of as withdrawn.

Counsel appearing for the claimants by reference to Section 21 of the Legal Services Authorities Act, 1987 submits that since the matter stands settled before the Lok Adalat, the amount of Court fee paid be ordered to be refunded in terms of Sub Section 1 of Section 20 in the manner provided under the Court Fees Act, 1870. The contention of the learned counsel is correct. The matter having been settled before the Lok Adalat, the appellant is entitled to the refund of fee and the same be refunded to him in terms of provisions of Section 20(1) of the Legal Services Authorities Act, 1987 and the provisions of Sub Section 1 of Section 20 of the Court Fees Act, 1870.

The appeal is disposed of having been settled with the above directions.

(G.C. GARG)
PRESIDENT

(N.K. KAPOOR)
MEMBER

May 24, 2017
Naina Rajput