

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

RSA No.3559 of 2017 (O&M)

Date of decision : 15.09.2017

Ankit

...Appellant

Versus

Krishan

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajender Singh Malik, Advocate for the appellant.

Mr. R.N. Lohan, Advocate for the respondent/Caveator.

ANIL KSHETARPAL, J. (ORAL)

During the course of the arguments, both the parties have arrived at a consensus. The appellant is a mortgagor and the respondent is a mortgagee.

As per the order passed by this Court on 13.07.2017, the mortgage amount has already been deposited with the treasury. As per the mortgage deed, certain amount is payable as interest at the time of refund. It is agreed between the parties who are present in the Court duly identified by the counsels that the appellant shall pay the amount of interest within a period of one year from today i.e. upto 30.09.2018.

Respondent-Krishan shall be entitled to withdraw the mortgage amount duly deposited by the appellant.

In view of the consensus arrived at, the judgments and decrees

passed by the Courts are modified. However, if the appellant fails to pay the interest, the respondent shall be at liberty to move an application for revival of the appeal.

In view of the above, the present Regular Second Appeal is disposed of.

15.09.2017

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No