

115 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CR No. 220 of 2018 (O/M)
Date of decision : 16.1.2018

Bhushan Power and Steel Limited Petitioner
Versus
Naresh Kumar and others Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Atul Jain, Advocate, for petitioner.
1. Whether the Reporters of local newspaper may be allowed to
see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

The petitioner is aggrieved of the order dated 27.11.2017, passed by the learned Civil Judge (Junior Division), Patiala, vide which his application filed under Order 23 Rule 3 of Civil Procedure Code, 1908, was dismissed on the basis of compromise dated 23.3.2012 (Ex.CX), on the ground that opposite party has denied the compromise.

After going through the impugned order, I am of the view that since the opposite party denied the compromise, the lower Court was justified in not dismissing the suit in terms of compromise. However, as per provisions of Order 23 Rule 3 CPC, 1908, the lower Court is directed to frame the issues regarding the compromise and try the same alongwith other issues and record findings thereon.

With the abovenoted observations, instant revision is disposed of.

(KULDIP SINGH)
JUDGE

16.1.2018
sjks

Whether speaking / reasoned : Yes
Whether Reportable : No