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

**Civil Revision No.2493 of 2017 (O&M)
Date of Decision: 06.08.2018**

GURDIAL SINGH

.....Petitioner

Vs

MALKIAT SINGH

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. S.S. Rangi, Advocate
for the petitioner.

None for the respondent.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioner has preferred this revision petition against the order dated 06.01.2017 passed by the Addl. Civil Judge (Sr. Divn.) Rajpura, whereby the prayer of the petitioner to pay the decreetal amount in installments was declined.

[2]. On 06.04.2017, following order was passed by the Co-ordinate Bench of this Court:-

“Learned counsel appearing on behalf of the petitioner submits that the petitioner undertakes to pay an amount of Rs.one lac within a period of one week from today and the remaining amount will be paid by him in three instalments. Notice of motion for 09.07.2017. However, in case, the petitioner deposits an amount of Rs.one lac

before the Executing Court within a period of one week from today, the impugned order dated 06.01.2017 (Annexure P-5) passed by Additional Civil Judge (Sr. Division), Rajpura, District Patiala, shall remain stayed.”

[3]. Thereafter on joint request of the parties, the matter was referred to the Mediation and Conciliation Centre of this Court and the parties were directed to appear before the Mediator.

[4]. Learned counsel for the petitioner submitted that both the parties have settled their dispute before the Mediator by entering into following terms and conditions:-

- “1. That the first party has already deposited an amount of Rs.1 lac with the Court. The first party has no objection if the said amount deposited with the Court is paid to the second party. First party has undertaken that he will give the said deposit receipt to party No.2 within one week from today for withdrawal of the said amount.*
- 2. That the first party has further agreed that the balance amount of Rs.4,50,000/- (Four Lac Fifty Thousand only) will be paid to the second party in the following six instalments.*
 - (i) The first instalment of Rs.1,00,000/- (One Lac) will be paid by the first party to second party by 07.06.2018.*
 - (ii) The second instalment of Rs.70,000/- (seventy Thousand only) will be paid by the first party to the second party by 07.12.2018.*

(iii) *The Third instalment of Rs.70,000/- (seventy Thousand only) will be paid by the first party to the second party by 07.06.2019.*

(iv) *The fourth instalment of Rs.70,000/- (seventy Thousand only) will be paid by the first party to the second party by 07.12.2019.*

(v) *The fifth instalment of Rs.70,000/- (seventy thousand only) will be paid by the first party to the second party by 07.06.2020.*

(vi) *The sixth and the last instalment of Rs.70,000/- (seventy Thousand only) will be paid by the first party to the second party by 07.12.2020.”*

[5]. Learned counsel further submitted that it has also been settled that in case of delay in making good the installments for more than one week, the said installment shall be paid with a penalty of Rs.500/- for each day's delay as per para no.6 of the compromise.

[6]. In view of settlement arrived at between the parties, this revision petition is disposed of accordingly.

August 06, 2018

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Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No