

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

101

CR No.9036 of 2017

Date of decision:16.8.2018

AU Financiers (India) Limited

... Petitioner

versus

Sohan Lal and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Varun Katyal, Advocate,
for the petitioner
Mr.Gurcharan Dass, Advocate,
for the respondents
...

AMOL RATTAN SINGH, J. (Oral)

Learned counsel for the parties are *ad idem* that the matter has been settled between them with the petitioners' to pay Rs.60,000/- to respondent no.1, and an NOC to be issued to the said respondent that there is nothing due from him or the other respondents (to the petitioner from them). The said amount has been paid by way of a demand draft in favour of respondent no.1, handed over today to the said respondent by learned counsel for the petitioner.

Learned counsel for the petitioner submits that the petitioner would reserve its right to recover any amount due to the insured from the insurer, on account of damage to the vehicle in question.

Without making any comment whatsoever with regard to the right of the petitioner as regards any such recovery, with any proceeding initiated for that purpose to be dealt with wholly on its own merits, this

petition is disposed of in terms of the compromise reached between the parties as noticed herein above.

As regards any alleged fraud committed by the petitioner, Mr.Gurchasran Dass submits that the respondents herein are not aggrieved any longer of any such fraud also.

Hence, as regards the respondents herein, the observations of the learned Executing Court made in the impugned order dated 21.9.2017, would not hold good the matter having compromised between them.

However, as regards any fraud committed/not committed with a third party, such party not being before this Court, no comments whatsoever are being made.

Mr.Gurcharan Dass submits that he would be handing over a photocopy of the aforementioned demand draft to be placed on the file of this petition, for the record.

16.8.2018
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No