

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

RSA No.5718 of 2016 (O&M)
Date of Decision.30.10.2018

Mukhtiar Singh and anotherAppellants
Vs

Kirpal Singh ...Respondent

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Harsh Aggarwal, Advocate
for the appellant.

Mr. V.P. Singh, Advocate
for the caveator-respondent.

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AMIT RAWAL J. (ORAL)

This Court vide order dated 12.07.2018 had referred the matter to the Mediation and Conciliation Centre of this Court. Due deference of the Mediator in making sincere efforts, parties have arrived at compromise/settlement dated 06.08.2018 duly signed by the parties and the Mediator and the same is acknowledged by the counsel in the presence of parties to *lis* present in the Court.

As per the compromise, the appellants have to part with a sum of ₹20,50,000/- whereas ₹50,000/- had already been paid, which had not been disputed by the counsel for the respondent. Today two drafts of ₹10 lacs each bearing No.527506 & 527507 dated 26.10.2018 have been handed over to the respondent, who is present in Court and identified by his counsel. A photostat copy of the drafts has been taken on record.

The preface of the compromise had been that the lower Appellate Court reversed the finding of the trial Court and decreed the suit for recovery of money with interest. Owing to compromise,

respondent-decree holder has given up right to claim interest, therefore, judgment and decree of the lower Appellate Court is modified as to the aforementioned extent i.e. as per the settlement agreement between the parties, which is taken on record as Annexure 'C1'.

Respondent undertakes to withdraw execution application in view of the compromise entered between the parties.

The appeal stands disposed of. The compromise memo shall also form part of the order.

(AMIT RAWAL)
JUDGE

October 30, 2018

Pankaj*

Whether Reasoned/Speaking Yes

Whether Reportable No