

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36354-2015
DECIDED ON: 09.04.2019

SUMIT GOYAL @ SUMMIT GOYAL ...PETITIONER..

VERSUS

RAJIV MALHOTRA AND ANR. ...RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Vikas Mohan Gupta, Advocate,
for the petitioner.

Mr. Rishav Jain, Advocate,
for the respondents.

RAMENDRA JAIN, J. (ORAL)

Pursuant to settlement arrived at between the parties, the petitioner has tendered ₹1.00 lakh to Rajiv Malhotra-respondent No.1, who is present in person towards the settled amount in all the three cases, out of which, two are under challenge in this Court bearing CRM-M-36354-2015, CRM-A-4-MA-2016 and third one bearing CRM-A-269-MA-2016 is pending before a coordinate Bench of this Court.

Learned counsel for the respondents has withdrawn CRM-A-4-MA-2016 and promised to withdraw CRM-A-269-MA-2016 pending before a coordinate Bench of this Court. He prays for two days' time to produce receipt of aforesaid accepted amount and general power of

attorney of Sanjiv Malhotra-respondent No.2 in favour of Rajiv Malhotra-respondent No.1, whereby, he has been authorised to settle or compromise the matter with the petitioner.

Learned counsel for respondents is directed to deposit ₹10,000/- out of settled amount of ₹1,00,000/- with "Welfare Centre for Persons with Speech and Hearing Impairment, Chandan Nagar, Sector 15, Phase-2, Behind ITI, Gurugram, Bank Account No.000434003000357, the Gurgaon Central Co-operative Bank Ltd. or Bank Account No.1245010000518, United Bank of India, in terms of judgment titled as *“Damodar S. Prabhu v. Sayed Babalal H.”*, 2010 (15) SCC 663.

In view of the above, instant petition is accepted and complaint dated 23.07.2019 (P-1), orders dated 06.08.2015, 24.09.2015 and 03.10.2019 (P-2 to P-4 respectively) and all subsequent proceedings arising therefrom are quashed qua the petitioner.

The amount, if any, deposited by Sumit Goyal @ Summit Goyal in all the three complaints filed by the respondents against him shall be disbursed to him by the trial court on his moving appropriate application.

List on 12.04.2019 for production of receipt and general power of attorney.

09.04.2019

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Whether speaking/reasoned

Whether reportable

(RAMENDRA JAIN)

JUDGE

Yes/No

Yes/No