

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

RSA No. 332 of 2011 (O&M)
Date of Decision: May 02 , 2019

Mela Singh Appellant(s)
Versus

Rajinder Kumar Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. N.S. Jagdeva, Advocate
for the appellant.

Mr. Harsh Goyal, Advocate for
Mr. Tribhawan Singla, Advocate
for the respondent.

LISA GILL, J.(oral)

This appeal has been filed by the appellant-defendant challenging the judgment and decree dated 03.08.2004, passed by the learned Civil Judge (Jr. Division), Barnala whereby suit filed by the respondent-plaintiff was partly decreed and recovery was ordered of Rs.2,80,000/- (Rs.1,50,000/- advanced on 10.02.1999 and Rs.1,30,000/- advanced on 18.03.1999) with costs along with interest at the rate of 9% P.A. on the principal amount of Rs.1,50,000/- from 10.02.1999 and amount of Rs.1,30,000/- from 18.03.1999 till the realization whereas the rest of the claim of the plaintiff for recovery of Rs. 1 lakh being barred by time was dismissed. Appellant is also aggrieved of judgment and decree dated 13.01.2009, passed by the learned Addl. District Judge, Barnala, whereby the judgment and decree passed by the learned Civil Judge (Jr. Division), Barnala was upheld, however, with the modification qua the entitlement of the plaintiff, for the interest on the decretal amount to the effect that the aforesaid amount is to be paid @ 6% per annum from the date of decision of the suit.

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Learned counsel for the appellant as well as the respondent submit that the matter has been amicably resolved between the parties. Decree stands satisfied in terms mutually arrived at between the parties.

In this view of the matter, learned counsel for the appellant submits that he has specific instructions to withdraw this appeal. Affidavit dated 29.04.2019 of the appellant Mela Singh son of Teja Singh filed in the Court today in this respect is taken on record.

Keeping in view the facts and circumstances, this appeal is dismissed as withdrawn.

(Lisa Gill)
Judge

May 02, 2019

Sunil

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No