

CM No. 9868-C of 2019 and
CM No. 9873-C of 2019 in/and
RSA No. 3024 of 2015

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

CM No. 9868-C of 2019 and
CM No. 9873-C of 2019 in/and
RSA No. 3024 of 2015
Date of Decision: 29.08.2019

Mukesh and another

-Appellants

Vs

Punjab and Sind Bank

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Deepak Sharma, Advocate,
for the applicants-appellants.
Mr. B.P.S. Dhaliwal, Advocate,
for the respondent.

RAJ MOHAN SINGH, J. (ORAL)

Compromise dated 01.07.2019 is taken on record,
subject to just exception.

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This is an application for preponing the date of
hearing from 07.01.2020 to some early actual date on the basis
of compromise entered into between the parties.

The prayer has not been opposed by learned counsel
for the respondent.

For the reasons mentioned in the application, the
same is allowed and the date of hearing is preponed for today.

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Appellants have prayed for disposal of the appeal in terms of settlement dated 01.07.2019 arrived at between the parties.

Appellants have stated that during pendency of present appeal, parties have entered into amicable resolution of dispute by means of a settlement. Claim of the respondent-Bank has been settled at Rs.5 lacs. Appellants have already deposited an amount of Rs.50,000/- with the Bank on 29.06.2019 and rest of the amount was agreed to be deposited by the appellants on or before 29.09.2019.

It has further been submitted that an amount of Rs.2 lacs has also been deposited by the appellants with the Executing Court and the said amount is also payable to the decree holder-Bank and the remaining amount of Rs.2.5 lacs shall be paid to the decree holder as agreed in terms of settlement.

The aforesaid statement of fact has not been disputed by learned counsel for the respondent and he endorsed factum of compromise and also prayed that the appeal be disposed of in terms of compromise. An amount of Rs.2 lacs lying deposited with the Executing Court shall be

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released in favour of the respondent-Bank on proper identification by learned counsel for the respondent before the Executing Court.

Appellants undertake to pay the remaining amount of Rs.2.5 lacs on or before agreed date i.e. 29.09.2019 directly to the respondent-Bank.

Application is allowed.

Main case

Subject to aforesaid rider, this appeal is disposed of in terms of compromise.

29.08.2019
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No