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RSA No. 4675 of 2017 (O&M)

HARPAL SINGH VS. KULDIP SINGH & ANOTHER

Present: Ms. Monika Tanwar, Advocate for
 Mr. Ramnish Puri, Advocate for the appellant

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Present Regular Second appeal has been referred to this Forum for settlement.

The facts are that Kuldip Singh had filed a suit for possession by way of specific performance of agreement to sell dated 24.8.2011, titled Kuldip Singh vs. Gurmej Singh etc. The suit was decreed on 28.9.2015 by Civil Judge, Jr. Division Ajnala wherein relief by way of specific performance to sell dated 24.8.2011 was granted. Harpal Singh one of the defendants filed the appeal which was dismissed on 18.11.2016 by Addl. District Judge, Amritsar.

The said Harpal Singh has preferred the present regular second appeal.

Learned counsel for appellant-Harpal Singh has made a statement that compromise has been effected between the parties and as per the instructions from her client Harpal Singh, the present appeal be dismissed as withdrawn and the Court fee be ordered to be refunded.

In view of the said statement of learned counsel for the appellant the present appeal is dismissed as withdrawn subject to the direction regarding the refund of Court fee. This Forum while Exercising the powers under Section 21 of the Legal Services Authority of 1987 in

view of the judgment of the Kerala High Court in *Vasudevan Vs. State of Kerala*; WP No. 21031 of 2003 decided on 22.9.2003 reported as *2004(1) RCR (Civil) 657*, hereby order to refund the Court fee paid by the appellant in this case. The office of the High Court may make certificate accordingly for enabling the appellant to get the amount of Court fee from the concerned authority.

Copy of the order be supplied/sent to the counsel/parties and file be returned to the High Court.

(J. C. Verma)
President

(Arvind Kumar)
Member

02.04.2019
Janki