

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

253

RSA No.1941 of 2019 (O&M)

Date of decision: 17.01.2020

VIJAY

... Appellant

Versus

NARAIN SINGH

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. SK Chauhan, Advocate for the appellant.
Mr. Sunny Bhardwaj, Advocate for the respondent.

REKHA MITTAL, J. (Oral)

Challenge in the present appeal has been directed against concurrent findings recorded by the Courts whereby suit for recovery was decreed by the trial Court to the effect that respondent/plaintiff is entitle to recover Rs.4,59,000/- with interest @ 9% per annum from the date of filing of suit till the date of decree and @ 6% per annum from the date of decree till the actual payment. The judgment and decree passed by trial Court came to be affirmed in appeal by the District Judge, Bhiwani.

Notice of motion was issued to the limited extent of exploring possibility of an amicable settlement between the parties with regard to installments qua payment of decretal amount.

A relevant extract from order dated 22.04.2019, reads as follows:-

Counsel for the appellant would state that the appellant is ready to pay the decretal amount but by way of easy installments. He would further state that the respondent may be called upon to appear in this Court just for the purpose of exploring possibility of amicable settlement between the parties in respect of easy installments.

Notice in the application for condonation of delay as well as in appeal for 23.05.2019 to the limited extent for exploring possibility of an amicable settlement between the parties with regard to installments qua payment of decretal amount.

XX XX

On appearance of respondent/plaintiff, the parties were relegated to the Mediation and Conciliation Center of the Court to explore

possibility of an amicable settlement. As per report received from the Mediation Center, the parties could not arrive at a consensus to settle their dispute. As such, nothing survives for consideration of the Court. Accordingly, appeal stands disposed of. As the appeal has been disposed of in view of aforesaid, application for condonation of delay is of academic relevance.

17.01.2020
ashok

(REKHA MITTAL)
JUDGE

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