

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-5908 of 2018 (O&M)
Date of decision: 29.08.2022

Raj Dulari and another

..Petitioners

Versus

Tarlochan Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Chandeeep Singh, Advocate
for the petitioners.

Mr. Nakul Sharma, Advocate
for respondent no.1.

ANIL KSHETARPAL, J(Oral)

With the sincere efforts of the mediator in the Mediation and Conciliation Centre of this Court, the contesting parties have settled the dispute and a deed of settlement dated 01.10.2018 has been placed on the file. Pursuant to the aforesaid settlement, a demand draft of Rs.9,00,000/- drawn in favour of Sh. Tarlochan Singh has been handed over by the learned counsel representing the petitioners.

The learned counsel representing the respondents while drawing the attention of the Court to para 2 of the deed of settlement, submits that the respondent is entitled to withdraw the amount of Rs.6,00,000/- already deposited by him pursuant to the decree passed by the trial court. Clause 2 of the settlement deed reads as under:-

“2. Tarlochan Singh filed suit for specific performance against Jasbir Kaur and Raj Dulari and Tarsem Lal. The suit was decreed ex-parte on 20.11.2014. As per facts available, an amount of Rs.4,00,000/- was paid as earnest money and remaining consideration of Rs.6,00,000/- has also been deposited by Tarlochan Singh in the Court in pursuance to which the sale deed was executed in

his favour through the Court.

The learned counsel representing the petitioners has no dispute on that fact.

Keeping in view the aforesaid facts, the Executing Court is requested to refund the amount of Rs.6,00,000/- to the respondent-Sh. Tarlochan Singh.

Disposed of accordingly.

All the pending miscellaneous applications, if any, are also disposed of.

August 29, 2022

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(ANIL KSHETARPAL)
JUDGE

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