

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

ARB-61-2019 (O&M)
Date of Decision: 26.05.2022

PARMINDER SINGH DHANDWAR

... Applicant

Versus

M/S EMAAR MGF LAND LTD.

... Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present : None for the applicant.

Mr. Ashim Aggarwal, Advocate for the respondent.

LISA GILL, J.(Oral)

Learned counsel for the non-applicant submits that the matter has amicably been resolved between the parties and Settlement Agreement dated 30.11.2021 has been executed between them. In terms of Clause (3) the applicant had undertaken to give his consent for disposal/withdrawal of this application.

A copy of Settlement Agreement dated 30.11.2021 furnished in the Court today, is taken on record, subject to all just exceptions.

The relevant part of clause (3) as referred to by learned counsel for the non-applicant reads as follow:

“that the First party further undertake to make themselves present, in person or through authorized signatory/attorney/pleader, and/or appear before any authorities/courts, as and when required by the Company and/or the concerned authority/Courts including before the Hon’ble National Consumer Dispute Redressal Commission in First Appeal No. 1978/20217, First Appeal No. 1979/20217. EA no./347/2020, EA No./350/2020 before the Hon’ble State Consumer Dispute Redressal Commission, Punjab

AND ARB-61-2019 before the Hon'ble High Court of Punjab & Haryana, Chandigarh, and give consent for disposal of the Appeal, Execution Application & Arbitration Case, by moving an application/joint application or by giving statement for the disposal of the Appeal, Execution Application & Arbitration case. Further, if the First Party fails to withdraw any of the matter mentioned above, it shall be deemed that the First Party has accorded consent for disposal of the Appeal Execution Application & Arbitration case”.

Learned counsel for the respondent submits that in view of settlement dated 30.11.2021, this petition is rendered infructuous.

Despite the matter being called twice, there is no representation on behalf of the applicant, however, I do not find any justification in keeping this petition pending.

In view of the facts and circumstances as mentioned above, this petition is disposed of as infructuous.

Liberty is, however, afforded to the applicant to move an appropriate application within four (04) weeks from today, in case any incorrect fact has been put-forth before this Court.

(LISA GILL)
JUDGE

26.05.2022

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Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No