

CM-4261-C-017, CM-6066-C-2021 IN/AND
RSA-2107-2002 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM-4261-C-017, CM-6066-C-2021 IN/AND
RSA-2107-2002 (O&M)
Date of decision: May 11, 2023

The Improvement Trust Patiala

....Appellant

versus

Gian Parkash and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Vishal Goel, Advocate for applicant-respondent No.1.

Ms. Simran Midha, Law Officer for non-applicant-appellant.

ARUN MONGA, J. (ORAL)

CM-4261-CI-2017

This is an application seeking direction to inform respondent regarding dues pending towards booth so that same may be cleared under the One Time Measure scheme of the Government.

2. At the outset, learned counsel for applicant-respondent No.1, states that instant application is rendered infructuous and he does not press the same.

3. Disposed of, accordingly.

CM-6066-C-2021

This is an application for early hearing of main appeal and dispose of the same being settled between the parties as applicant-respondent has paid all dues pending towards the booth in question.

2. For the reasons stated in application, main appeal, which stands admitted vide order dated 07.07.2003, is taken on Board for hearing today itself.

3. Registry to do the needful.

4. Application stand disposed of, accordingly.

CM-4261-C-017, CM-6066-C-2021 IN/AND
RSA-2107-2002 (O&M)

Main case (O&M)

Appellant herein is defendant No.1-Trust seeking to set aside impugned judgment/ decree dated 02.03.2002 passed by learned Additional District Judge, Patiala whereby appeal filed by plaintiff-respondent No.1 against judgment/ decree dated 28.11.1996 was accepted and defendants were restrained from charging/ collecting dues of booth No.53 with interest and penalty; liberty was granted to defendants to collect principal amount from plaintiff as per agreement, and defendants were also directed by way of mandatory injunction to withdraw letter dated 12.09.1990 (Annexure P-6) vide which the booth in question was resumed.

2. At the outset, Ms. Simran Midha, Law Officer, who is present in Court, states that appeal is rendered infructuous in view of amicable One Time Settlement arrived at between appellant and respondent No.1/plaintiff (copy of which has been tendered in course of hearing and the same is taken on Court file and marked as Annexure ‘A’) and she is under instructions not to press the same.

3. In view of the aforesaid, instant appeal is disposed of as not pressed.

4. Pending application(s), if any, shall also stand disposed of. s

(ARUN MONGA)
JUDGE

May 11, 2023
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No