

CM-2095-C-2023 in/&
RSA-544-2023

-1-

2023:PHHC:050594

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-2095-C-2023 in/&
RSA-544-2023
Date of Decision :12.04.2023

Satpal

...Appellant

Versus

Narveer

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashish Gupta, Advocate for the appellant.

Mr. Raman Chawla, Advocate for the respondent.

* * *

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the parties submit that as per the instructions received from the respective parties, the parties have orally compromised their dispute to the effect that the appellant herein will pay a sum of Rs.14,18,000/- along with interest @ 6% per annum to the respondent-plaintiff and the respondent-plaintiff will not claim amount of Rs.19,80,000/- as awarded by the Lower Appellate Court vide judgment and decree dated 23.12.2022.

Learned counsel for the appellant submits that keeping in view the oral compromise effected between the parties, the present regular second appeal may kindly be disposed of in terms of the said compromise.

Though, no written compromise has been brought on record but

once the learned counsel for the respective parties on instructions from the respective parties have submitted at bar that parties have orally compromised their dispute as per the terms mentioned hereinbefore, the same cannot be disbelieved.

Keeping in view the said oral compromise as stated by both the learned counsel for the parties which has been mentioned hereinbefore by exercising power under Order 23 Rule 3 of the CPC, present regular second appeal is disposed of in terms of the oral compromise between the parties as per which, appellant herein will pay a sum of Rs.14,18,000/- along with interest @ 6 % per annum to the respondent from the date the amount was taken till the return of the said amount and the respondent will not claim the amount as awarded by the Court below.

Learned counsel for the appellant submits that as the present regular second appeal has been disposed of in terms of the oral compromise effected between the parties, Court fee which has been attached with the appeal may kindly be refunded.

Liberty is given to the appellant to file an appropriate application for refund of the Court fee keeping in view the present order.

CM-2095-C-2023

Application is also disposed of.

April 12, 2023
aarti

(HARSIMRAN SINGH SETHI)
JUDGE

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