

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

RSA-3405-2019 (O&M)

Date of decision: January 20, 2023

Arjun Ram

....Appellant

versus

Nachhattar Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. B.S.Mittal, Advocate for the appellant.

ARUN MONGA, J. (ORAL)

For convenience, parties herein are described as per recitals before the trial Court.

2. Having suffered concurrent adverse findings by the two Courts below, defendant is in second appeal before this Court assailing the trial Court judgment and decree dated 10.07.2018, as upheld by learned First Appellate Court vide its judgment and decree dated 01.03.2019.

3. Learned counsel for appellant, at the outset, submits that since the matter has been amicably settled between the parties before National Lok Adalat, he is under instructions not to press the present appeal and prays for disposal of the second appeal in view of the compromise effected between both the parties and to refund the Court fees deposited by the appellant.

4. Learned counsel for appellant further relies on the Apex Court judgment dated 17.02.2021 rendered in **Special Leave Petition (Civil) Nos.3063-3064 of 2021** titled **High Court of Judicature at Madras Rep. by its Registrar General versus M.C. Subramaniam and others** and judgments rendered by this Court in **CR-81-2014** titled **Pradeep Sonawat versus Satish Prakash @ Satish Chandra** and **RSA-1425-2018** titled **Pritam Singh versus Ashok Kumar** to contend that in case parties settle their dispute irrespective of the fact whether it was before Lok Adalat or otherwise, they are entitled for refund of Court fees as per applicable Rules.

5. In the premise, second appeal is disposed of as amicably settled, Registry to take steps to refund the Court fees upon an application filed, in accordance with law.

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

(ARUN MONGA)
JUDGE

January 20, 2023

vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No