

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

RSA-3357-2019 (O&M)
Date of Decision:-**22.09.2023**

LEELA RAM

... Appellant

Versus

DAYA KISHAN AND ANOTHER

... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Sanchit Punia, Advocate
for the appellant.

Ms. Garima Modi, Advocate for
Mr. Rose Gupta, Advocate
for the respondent.

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KARAMJIT SINGH, J. (Oral)

1. The counsel for the appellant made statement that he be permitted to withdraw the present appeal as the matter stands amicably settled between the parties. There is further prayer on behalf of the appellant that as the dispute has been settled amicably, the appellant is entitled to refund of the Court fees as per the Provisions of Section 89 C.P.C.. In support of his contention, the counsel for the appellant has referred to order dated 8.4.2022 passed by the Co-ordinate Bench of this Court in CR-1321-2022 titled as Banwari Lal vs. Mool Chand and Others.

2. The counsel appearing on behalf of the respondent has also admitted the factum of compromise and has no objection if the appellant is allowed to withdraw the instant appeal and further made prayer that order regarding refund by the Court fee furnished by the respondent/plaintiff before the trial Court be also passed.
3. In the light of the above, present appeal stands dismissed as withdrawn.
4. The Registry of this Court is directed to refund the Court fees attached with the present appeal within next 30 days to the appellant. Likewise the learned trial Court is also directed to refund the Court fees furnished by the respondent/plaintiff in the civil suit titled as Daya Krishan and Another vs. Leela Ram having CIS/1145 of 2016 decided on 22.11.2017 by the Court of Additional Civil Judge (Senior Division), Hisar, within next 2 months of the receipt of certified copy of this Order.

22.09.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No