

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

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**CM-14971-CWP-2023 IN/AND
CWP-36977-2019 (O&M)
Date of Decision: 05.09.2023**

AVIVA LIFE INSURANCE CO. INDIA LTD. & ANR

... Petitioners

VERSUS

JASBIR KAUR BANGA AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Siddhant Jain, Advocate
for the petitioners.

Mr. Chetan Bansal, Advocate
for respondent No.1.

VINOD S. BHARDWAJ, J. (ORAL)

CM-14971-CWP-2023

The instant application has been filed on behalf of applicants/petitioners for seeking issuance of directions to Permanent Lok Adalat (Public Utility Services) SBS Nagar for liquidating the FDRs and to refund the amount of Rs.4,43,145/- deposited by the petitioners alongwith accrued interest thereon to the petitioners.

Learned counsel for the petitioners contends that at the time of issuance of notice of motion on 19.12.2019, an undertaking of the petitioners was recorded that the petitioners shall deposit the amount in the shape of an FDR. In compliance to the aforesaid order, the above said amount of Rs.4,43,145/- had been deposited by the petitioners with the Permanent Lok Adalat (Public Utility Services), SBS Nagar. He contends that during the pendency of the present writ petition, the matter has already been settled between the petitioners as well as the respondents and in terms of the said settlement, an amount of Rs.3,60,000/- has already been deposited in the account of respondent No.1 on 14.08.2023. It is submitted that since the matter

has already been amicably resolved between the parties and respondent No.1 has accepted the principal amount as a token of acceptance of said settlement to resolve the entire issue, the amount as awarded and deposited by the petitioners with the Permanent Lok Adalat (Public Utility Services), SBS Nagar in the shape of FDR, be released in their favour.

Notice of the application.

Mr. Chetan Bansal, Advocate accepts notice on behalf of respondent No.1 and corroborates that the matter has already been resolved between the parties and the settlement has been arrived at. He also admits the factum of having received the amount of Rs.3,60,000/- as averred in the present application. He has no objection also to the writ petition being disposed of in view of the aforesaid settlement.

In view of the above, the present application stands allowed and the main case is accordingly preponed from the next date hearing which is fixed for 09.10.2023 and is taken on the Board today itself.

MAIN CASE

In view of the settlement between the parties, the main writ petition is disposed of as not pressed in view of the settlement entered into between the parties. The amount of Rs.4,43,145/- deposited by the petitioners vide FDR No.39026055623 dated 27.12.2019 be released to the petitioners alongwith accrued interest till date as per law.

Disposed of as not pressed accordingly.

Any other misc. application(s) also stand(s) disposed of accordingly.

SEPTEMBER 05, 2023

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**(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No