

CM-2815-C-2023;
CM-2818-C-2023 in/&
RSA-5002-2010 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CM-2815-C-2023
CM-2818-C-2023 in/&
RSA-5002-2010 (O&M)
Date of Decision :22.03.2023

Joginder Singh

...Appellant

Versus

Yog Raj Gupta and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Swaran Tiwana, Advocate for the appellant.

Mr. Rakesh Chopra, Advocate and
Mr. Jashan Chopra, Advocate for the respondents.

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Harsimran Singh Sethi, J. (Oral)

CM-2815-C-2023

Present application has been filed for placing on record the compromise deed dated 10.03.2023 entered into between the parties as Annexure A-1 and for disposing of the present regular second appeal in terms of the same.

Notice of the application to the counsel opposite.

Mr. Rakesh Chopra, Advocate accepts notice on behalf of the respondents and raises no objection for the grant of prayer as made in the present application for placing on record the compromise deed dated 10.03.2023 and for disposing of the present regular second appeal in terms of the same.

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Keeping in view the averments made in the application coupled with the no objection given by the learned counsel for the respondents, application is allowed. Compromise deed dated 10.03.2023 is taken on record as Annexure A-1.

RSA-5002-2010

Learned counsel for the parties agree that the parties have entered into a compromise during the pendency of the present regular second appeal on 10.03.2023.

Learned counsel for the parties submits that as per the instructions received from the respective parties, the parties are willing to perform their part of duty as per the agreement to sell and the said compromise is not contrary to law and can be executed and it is jointly prayed by the learned counsel for the parties that the present regular second appeal may kindly be disposed of in terms of the compromise dated 10.03.2023.

Keeping in view the joint request of the learned counsel for the respective parties, the present regular second appeal is disposed of in terms of the compromise dated 10.03.2023 (Annexure A-1).

CM-2818-C-2023

Present application has been filed for the refund of the Court fee deposited by the applicant-appellant.

Learned counsel for the applicant-appellant submits that as the present regular second appeal is being disposed of on the basis of the compromise effected between the parties, the Court fee deposited by the appellant may kindly be refunded.

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As the present regular second appeal is disposed of on the basis of the compromise dated 10.03.2023 (Annexure A-1) effected between the parties, the present application is allowed. Registry is directed to refund the Court fee deposited by the appellant in accordance with law in case any such application is moved.

With regard to the Court fee deposited by the respondents, respondents are at liberty to avail an appropriate remedy by filing an appropriate application.

March 22, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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