

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

142

CR-5129-2023(O&M)
Date of Order:05.09.2023

KRISHAN KUMAR

.Petitioner

Versus

MUKHTIAR SINGH AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Kashish Garg, Advocate
for the petitioner

ANIL KSHETARPAL, J

1. The petitioner herein is the driver and the owner of Skoda car which was involved in the accident resulting in death of Smt. Sarabjit Kaur. The claim petition filed by the dependents of the deceased was allowed and compensation of Rs.57,37,700/- was ordered to be paid vide judgment dated 03.12.2018, however, the payment was not made compelling the claimants to file the execution petition. The matter was referred to the National Lok Adalat, Patiala, whereas the parties entered into the settlement. The settlement which was incorporated in the form of order dated 13.05. 2023, reads as under:-

“Matter has been taken up today in the National Lok Adalat. Judgment debtor Krishan Kumar has made a statement that he is ready to pay total sum of Rs.50 lacs to the decree holder Mukhtiar singh and other legal heirs of deceased Sarabjit Kaur in the litigation pending regarding her death. He further stated that there is a

criminal case pending against him titled as State vs. Krishan Kumar, there is an execution and the objection petition, he has also filed FAO before Hon'ble High Court at Chandigarh and the entire litigation will be withdrawn after the payment to decree holder upto 15.07.2023. Decree holder Mukhtiar Singh has also made a statement that he has heard the statement of JD Krishan Kumar and agreed with the same and undertakes to withdraw all the litigations after receiving the entire amount upto 15.7.2023. File be now put up before the concerned court on 31.05.2023 for making payment by the JD."

2. The petitioner (Judgment Debtor) failed to make payment and honour the settlement within the stipulate date. In these circumstances, this court does not find any reason to interfere in exercise of jurisdiction under Article 227 of the Constitution of India particularly when the settlement between the parties on 13.05.2023 is not disputed.

3. Dismissed

4. All the pending miscellaneous applications, if any, are also disposed of.

September 05, 2023
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO