

104 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-4401-2015 (O&M)
Date of Decision :27.03.2023

Sumitra Devi ...Appellant

versus

Nirmal Singh and anotherRespondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Ashish Gupta, Advocate for the appellant.

Mr. Bhupinder Malik, Advocate for the respondent.

B.S. Walia, J. (Oral)

1. Challenge in the regular second appeal is to the judgment and decree dated 28.01.2012, passed by the learned Civil Judge (Junior Division), Saffidon, in Civil Suit No.148/2018, partly decreeing the suit of the appellant for specific performance by holding him entitled to receive back the earnest money of Rs.4,90,000/- along with interest @ 6% per annum w.e.f. the date of filing of the suit while dismissing the prayer for specific performance as upheld vide judgment dated 08.01.2015 passed by the learned appellate court.

2. On the previous date, none was present on behalf of the appellant, whereas learned counsel for respondent Nos.1 and 2 had contended that the dispute between the parties as was the subject matter of the appeal had been amicably settled, therefore, the appeal be disposed of as having become infructuous.

3. Today, learned counsel for the appellant states that in view of instructions from the appellant of the dispute between the parties as is

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the subject matter of the instant appeal having been amicably settled, he does not press the instant appeal and may be permitted to withdraw the same.

4. In view of the position noted above as well as statement of learned counsel for the parties, the instant appeal is dismissed as withdrawn.

(B.S. Walia)
Judge

27.03.2023
rajesh

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