

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

**RSA-6485-2018 (O&M)**

**Date of decision: January 25, 2023**

Bhiwani Parshad

....Appellant

versus

Jaspreet Singh

....Respondent

**CORAM: HON'BLE MR. JUSTICE ARUN MONGA**

**Present:-** Mr. P.K.S. Phoolka, Advocate for the appellant.

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**ARUN MONGA, J. (ORAL)**

Having suffered concurrent adverse findings by the two Courts below, defendant is in second appeal before this Court assailing trial Court judgment and decree dated 06.07.2017, as upheld by learned First Appellate Court vide its judgment and decree dated 21.05.2018.

2. Civil suit filed by respondent/plaintiff under Order XXXVII CPC was partly decreed with costs for recovery of Rs.3 Lakh along with interest @ 9% per annum from 14.08.2010 till the date of decree on the principal amount and @ 6% per annum as future interest from the date of decree till its realization, by both Courts below.

3. At the outset, learned counsel appearing on behalf of the appellant states that matter has been settled between the parties. He prays for disposal of the instant second appeal, accordingly. He further relies on the Apex Court judgment rendered in **Special Leave Petition (Civil) Nos.3063-3064 of 2021** titled **High Court of Judicature at Madras Rep. by its Registrar General versus M.C. Subramaniam and**

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**others**, decided on 17.02.2021 and judgments rendered by this Court in **CR-81-2014** titled **Pradeep Sonawat versus Satish Prakash @ Satish Chandra** and **RSA-1425-2018** titled **Pritam Singh versus Ashok Kumar** to contend that in case parties settle their dispute irrespective of the fact whether it was before Lok Adalat or otherwise, they are entitled for refund of Court fees as per applicable Rules.

4. In the premise, second appeal is disposed of as having been compromised. Registry to take steps to refund the admissible Court fees in accordance with law, upon an application filed along with copy of settlement/ agreement.

5. Pending applications, if any, shall also stand disposed of.

**(ARUN MONGA)**  
**JUDGE**

**January 25, 2023**  
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No