

CR-2979-2016

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.114

CR-2979-2016

Date of Decision: 03.04.2024

M/S GATI LTD. AND ANR.

....Petitioners

Versus

JOHN SAMUEL SYAL

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Sumeet Kumar, Advocate
for the petitioners.

Mr. Vikas Chatrath, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The petitioners have invoked the jurisdiction of this Court under Article 227 of the Constitution of India, thereby making prayer for setting aside of the order dated 17.10.2015 (Annexure P-13), passed by the Court below, whereby the objections filed by the petitioner/Judgment Debtor, were dismissed.

Learned counsel for the parties heard.

As evident from the submission made by both the counsel, respondent had filed an application for settlement of dispute under Section 22 C (1) of the Legal Services Authorities Act, against the present petitioners and copy of the order passed on the same is Annexure P-5. The Award was passed for a sum of Rs.30,000/-, in favour of the respondent,

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who was applicant before the Permanent Lok Adalat and besides the same, there was interest component of 15% per month, till the realization of the principal amount. However, when the application was filed for seeking execution of the order, objections were filed at the instance of the petitioners, thereby making a prayer that an amount of Rs.30,000/- was infact, deposited in consonance with the order passed by this Court in CWP-1279-2009 on 27.01.2009, copy whereof is Annexure P-1. The order passed *vis-a-vis*, the deposit, so made, in consonance with the order passed by the High Court is Annexure P-4.

Also, at this stage, it has brought to the notice of the Court by both the counsel that principal amount of Rs.30,000/- has since been deposited and precisely, on this account, the petitioner had filed the objections, which were dismissed, vide the impugned order.

The receipt of the amount of Rs.30,000/-, as principal amount, has not been disputed. In fact, now the contest is only qua the interest amount.

At this stage, learned counsel for the petitioners submits that an amount of Rs.36,000/-, on account of interest, so imposed is outstanding till 31.05.2016 and petitioners are ready to pay the same.

Keeping in view the tone and tenor of the deposit of the order dated 28.01.2009 with regard to the deposit made, the offer of deposit of the amount of Rs.36,000/-, on account of outstanding interest, is acceptable to learned counsel for the respondent also.

In the given circumstances, the petitioner shall deposit the amount of Rs.36,000/- as full and final settlement, in the account of respondent-John Samuel Syal, upon furnishing of account details by learned

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counsel for the respondent to learned counsel for the petitioners, within a period of seven days from today onwards. After making the requisite deposit, the respondent shall apprise the Executing Court about the same on the next date of hearing.

In view of the aforesaid terms, the instant revision petition is hereby disposed of.

03.04.2024

Sonu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No