

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

109

CRR-423-2024
Date of decision : 01.03.2024

Rajinder Kumar Petitioner
versus

Birjbala and another Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Ms. Anjali, Advocate
for the petitioner.

PANKAJ JAIN, J. (Oral)

1. Counsel for the petitioner submits that the petitioner is 70 years old man, who is suffering from financial distress and is ready to pay 10% of the amount of compensation.
2. Keeping in view the dictum of law laid down by Apex Court in *Jamboo Bhandari vs. M.P. State Industrial Development Corporation Ltd. and Ors. 2023(10) SCC 446* and the provision as contained in Section 148 of the N.I. Act, wherein 20% is a ceiling, this Court finds that it will be apt to modify the impugned order dated 19.12.2023 passed by the Appellate Court to the extent that the petitioner shall pay 10% of the compensation. Appellate Court is further directed to decide the appeal expeditiously.
3. With the aforesaid modification to the impugned order dated 19.12.2023, the present petition is disposed off.
4. Keeping in view the nature of relief granted to the petitioner, this Court finds that it is not necessary to issue notice to the respondent-complainant. However, in case respondent-complainant feels aggrieved of the instant order, he is free to move an appropriate application.

5. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

01.03.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No