

2024:PHHC:010798

240 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRR-804-2020 (O&M)
Date of decision: 25.01.2024

YAGYAPAL NAGAR

...Petitioner

V/s

DEEPAK KUMAR GUPTA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioner.

Mr. Ram Bilas Gupta, Advocate for the applicant/respondent.

HARPREET SINGH BRAR J. (ORAL)

CRM-26102-2020

This is an application under Section 482 of Cr.P.C. seeking vacation of the interim order dated 19.03.2020 and directing the petitioner to comply with the compromise dated 23.10.2019, which was effected before the learned Sessions Judge, Faridabad.

On 24.05.2022, following order was passed:

“Counsel for the respondent submits that the interim order is continuing in favour of the petitioner despite the fact that he failed to honour compromise dated 23.10.2019, as per which, the petitioner was to pay 1,10,000,00/- by 24.12.2019 but till date, the petitioner paid only an amount of 75 lakhs and balance is still due.

One last opportunity is given to the petitioner to explain and clarify his stand in this matter, failing which, interim order would be discontinued.

Now be listed on 1.9.2022.”

On 24.05.2022, there was no representation on behalf of the petitioner. Today, case has been called several times since morning. But there is no representation on behalf of the non-applicant/petitioner.

Counsel for the applicant/respondent submits that the petitioner has obtained interim directions in his favour vide order dated 19.03.2020

on the pretext that he will honour his commitment made in the compromise dated 23.10.2019. However, the petitioner has not honoured his commitment and as such the interim order is required to be vacated.

In view of the submissions made by learned counsel for the respondent and also in view of the aforesaid order dated 24.05.2022 passed by this Court, the interim relief granted in favour of the petitioner, hereby, stands vacated.

The application is disposed of accordingly.

CRR-804-2020

Case has been called several times since morning but non one has put in appearance on behalf of the petitioner.

It appears that petitioner is not interested in pursuing the present petition. Therefore, the instant petition is hereby dismissed for non-prosecution.

(HARPREET SINGH BRAR)
JUDGE

25.01.2024

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No