

2024.PHHC.139418



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

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**CWP-17187-2024 (O&M)
Date of Decision: 23.10.2024**

SHRI ASHISH MOHAN GUPTA

... Petitioner

VERSUS

**STATE CONSUMER DISPUTES REDRESSAL COMMISSION
U.T., CHANDIGARH AND ORS**

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Sandeep Suri, Advocate for the petitioner.
(Through video conferencing)

Mr. Jagdish Manchanda and Mr. Devyansh,
Advocates for respondent No.3 (present in person).

VINOD S. BHARDWAJ, J. (ORAL)

The petitioner has filed the present petition challenging the common order dated 11.03.2024 passed by District Consumer Disputes Redressal Commission, Chandigarh in EA No.61 of 2023 and EA No.44 of 2017 titled as Om Parkash Dabla Versus Hind Motors (India) Ltd. & M/s Hind Motors Ltd. (Annexure P-5) as well as all subsequent orders and proceedings arising therefrom. Challenge has also been made to the subsequent common order dated 23.04.2024 passed by respondent No.1 in Revision Petition No.18 of 2024 and Revision Petition No.30 of 2024 titled as Ashish Mohan Gupta Vs. Om Parkash Dabla (Annexure P-8) alongwith all subsequent orders/proceedings.



During the course of the hearing before this Court, counsel for the respective parties including respondent No.3, who is present in person, were joined together for exploring the possibility of amicable settlement.

Vide mutual agreement between the counsel for the petitioner as well as the respondent No.3, present in person, a settlement has been arrived at between them, as per which, the counsel for petitioner undertakes that the petitioner shall refund the entire amount deposited by the petitioner alongwith interest @ 10% per annum from the date of deposit. He further contends that the petitioner may be given four months' time to pay the entire amount alongwith interest from the date of its deposit to be paid in four equal monthly installments.

Respondent No.3 fairly accepts said offer.

Accordingly, the present petition is disposed of with the consent of the parties and without commenting anything on the merits or the issues involved in the present petition; and with a direction that the petitioner shall remain bound by his undertaking to pay the entire amount deposited by respondent No.3 alongwith interest @ 10% per annum from the date of its deposit within a period of four months commencing from 07.11.2024. The entire calculated amount shall be conveyed to respondent No.3 and the dues shall be cleared within a period of four months in equal monthly installments commencing from 07.11.2024.



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It is made clear that in the event there is a breach of the undertaking given by the petitioner in the present case and as recorded above, the present writ petition shall be deemed to be dismissed, with right of respondent No.3 to claim the dues as awarded by the Executing Court.

Disposed of accordingly.

All other miscellaneous application(s), if any, also stand(s) disposed of accordingly.

OCTOBER 23, 2024.
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No