



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-1685-CWP-2024 in/and
CWP-24085-2023(O&M)
Date of decision: 28.11.2024

Kamla Jain ... Petitioner
Versus
State of Haryana and others ... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Sushil Jain, Advocate, for the petitioner.
Mr. Deepak Sabherwal, Advocate,
for the respondent(s)-HSVP.
Mr. Suman Jain, Advocate, and
Mr. Rishabh Jain, Advocate, for respondent No.4.
...

ARUN PALLI, J. (Oral)

An application (CM-1685-CWP-2024) under Section 151 of the Code of Civil Procedure, 1908, seeking a direction to respondent No.3, to re-appoint a surveyor to further assess the damages caused to the building/house in question has been filed.

However, on the oral request of learned counsel for the parties, the date fixed in the main case itself is preponed from 27.01.2025 to today, i.e. 28.11.2024.

After we had heard learned counsel for the parties, they have reached a consensus, to provide quietus to a long pending dispute: that Om Parkash (respondent No.4) will pay Rs.20,00,000/- (Rupees Twenty Lakhs) to the petitioner in full and final settlement as regards any damage caused to her premises. To establish his bonafides, a copy of the demand draft valuing Rs.11,23,652/-, dated July 25, 2024, drawn in favour of the petitioner (Kamla Jain), has been shared with us, which is taken on record as **Mark 'X'**. Whereas, the original demand draft has been handed over to the learned counsel for the petitioner. It is also agreed that the balance amount of Rs.8,76,348/- (Rs.20,00,000 – Rs.11,23,652) will be paid by respondent No.4



within three (3) months from today, by way of a demand draft in the name of the petitioner.

That being so, learned counsel for the petitioner submits that nothing substantive survives in the petition and the same be disposed of in terms of the consensus arrived at between the parties, particularly the statement of learned counsel for respondent No.4.

Likewise, learned counsel for the respondent(s)-HSVP fairly submits that once the dispute between the parties is finally resolved, all necessary clearances, approvals, and sanctions will be accorded in accordance with the Rules.

In the wake of the position sketched out above, as also the statements made by learned counsel for the parties, the petition stands disposed of.

However, in the event, respondent No.4 (Om Parkash) defaults in payment of the balance amount, the petitioner shall be at liberty to move an appropriate application for the restoration of the petition and its decision on merits.

(Arun Palli)
Judge

(Vikram Aggarwal)
Judge

28.11.2024
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO