

287 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2024:PHHC:059119
CRM-M-65084-2023
Date of Decision: April 30, 2024

Suresh Kumar Gupta

...Petitioner

Versus

Sham Lal Gupta and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sherry K. Singla, Advocate for the petitioner.

Respondent No.1 – Sham Lal Gupta present in person
with his counsel Aakash Singla, Advocate.

DEEPAK GUPTA, J.(Oral)

On 22.12.2023, following order was passed by this Court:-

*“Learned counsel for the petitioner has relied upon a judgment of Hon’ble Supreme Court in **Jamboo Bhandari Vs. M.P. State Industrial Development Corporation Ltd. & Ors., Law Finder Doc. Id # 2313888**, so as to assail the impugned order dated 13.09.2023 (Annexure P.3) passed by learned Additional Sessions Judge, Sangrur, whereby petitioner was directed to deposit 20% of the compensation amount as awarded by the trial Court. Learned counsel further contended that the said order is contrary to the law laid down by Hon’ble Supreme Court in the afore-said case.*

Notice of motion for 28.02.2024 to respondent No.1 only.

In the meantime, it is directed that Appellate Court may proceed with the appeal but will not insist upon compliance of the impugned order.”

2. Today, respondent No.1 – Sham Lal Gupta alongwith his counsel has appeared and made categorical statement before this Court that he has no objection if the present petition is allowed and that complainant will not insist for depositing of 20% of the compensation amount by the petitioner-accused and that the Appellate Court be given direction, so as to

decide appeal in a time bound manner.

3. Learned counsel for the petitioner has no objection.
4. In view of the aforesaid statement, the present petition is disposed of with a direction to the Appellate Court to dispose of the appeal within a period of 02 months from today, without insisting upon the compliance of impugned order.

April 30, 2024
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No