



**CR-250-2021 (O&M);
CR-259-2021 (O&M) and
CR-269-2021 (O&M)**

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

(226)

1. CR-250-2021 (O&M)

M/s A.N. Sales Corporation and anotherPetitioners

Versus

M/s Surya Industries and anotherRespondents

2. CR-259-2021 (O&M)

M/s A.N. Sales Corporation and anotherPetitioners

Versus

M/s Surya Industries and anotherRespondents

3. CR-269-2021 (O&M)

M/s R.K. Industries and anotherPetitioners

Versus

M/s Surya Industries and anotherRespondents

Date of decision: - 10.03.2025

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Avnish Mittal, Advocate,
Ms. Aparna Singhal, Advocate, and
Mr. Gorav Kashyap, Advocate
for the petitioners.

Mr. B.R. Mahajan, Senior Advocate, with
Mr. Anil Chawla, Advocate,
Ms. Nikita Goel, Advocate and
Ms. Harita Dhanda, Advocate
for the respondents.



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VIKAS BAHL, J. (ORAL)

1. This order will dispose of above-mentioned three revision petitions as common question of fact arise in the same.

2. Learned counsel for the petitioners as well as learned senior counsel for the respondents have jointly submitted that there was a settlement between the parties in all the three suits and a common compromise had been reduced in writing and for implementation of the said compromise, the execution was filed, in which, three impugned orders had been passed, which are the subject matter of challenge in the present revision petitions.

3. During the course of arguments, a consensus has been arrived at between the parties and it has been jointly submitted by the learned counsel for the petitioners as well as learned senior counsel for the respondents, after taking instructions from their respective parties, that the present revision petitions be disposed of in view of the said consent. Accordingly, the present revision petitions are disposed of on the basis of consent with the following directions:-

- (i) In addition to the amount which had already been released in favour of the petitioners/decreed holders, it has been agreed that an additional amount of Rs.70 lakhs would be paid by the respondents for satisfying the compromise decree passed in all the three revision petitions. The said amount would be the full and final settlement with respect to all three suits/compromise decrees.



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- (ii) The respondents would deposit an amount of Rs.25 lakhs on or before 31.03.2025 before the Executing Court and the Executing Court on such deposit being made would immediately release the same to the decree holders/petitioners.
- (iii) The balance amount of Rs.45 lakhs would be deposited by the respondents/judgment debtors on or before 31.05.2025 before the Executing Court and on the said deposit being made, the Executing Court would release the same to the petitioners/decreed holders immediately.
- (iv) Learned senior counsel for the respondents has pointed out that certain demand drafts including a demand draft dated 06.02.2021 for an amount of Rs.32,19,000/ was deposited by the respondents which had not been credited in favour of the petitioners and since the respondents have undertaken to deposit the amount as per directions No.(ii) and (iii), thus, they be permitted to withdraw the said demand draft. In case, an application is moved by the respondents for withdrawing the said demand draft dated 06.02.2021, then, the Executing Court would return the same to the respondents.
- (v) Learned counsel for the petitioners has pointed out that in the present case, vide order dated 12.02.2021, a Co-ordinate Bench of this Court while issuing notice of motion had observed “meanwhile, alienation of assets of M/s Surya Industries mentioned in the plaint shall remain stayed.” It is prayed that the said order be continued till 31.05.2025 or till the time the entire amount of Rs.70 lakhs is deposited by the respondents. Learned senior counsel for the respondents has submitted that once the entire amount is deposited, then, the interim order be automatically vacated and grant of stay



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order should not come in the way of the parties in finalizing the compromise. Accordingly, the interim order dated 12.02.2021 to the effect “meanwhile, alienation of assets of M/s Surya Industries mentioned in the plaint shall remain stayed.” would continue till 31.05.2025 or till the time the respondents deposit the entire amount of Rs.70 lakhs, as undertaken before this Court. In case of the said deposit having been made on or before 31.05.2025, then, the said interim order would be deemed to have been vacated on the date the said deposit is made.

(vi) Both the parties would be bound by the said compromise.

4. All the pending application(s), if any, stand disposed of in view of the above.

March 10, 2025
naresh.k

**(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No