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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-13586-CII-2025 and
CM-13587-CII-2025 in/and
FAO-673-2017 (O&M)
Date of Decision:20.08.2025

NBCC (INDIA) LTD.

....Appellant(s)

Versus

SURINDER NATH GUPTA AND ANOTHER

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Parvez Chugh, Advocate,
for the applicant-appellant.

Mr. Sunil Chadha, Senior Advocate with
Mr. Raghav Chadha, Advocate,
for the respondents.

JASGURPREET SINGH PURI, J. (Oral)

**CM-13586-CII-2025 &
CM-13587-CII-2025**

The application i.e. *CM-13586-CII-2025* has been filed for withdrawal of the main appeal in view of the settlement having been arrived at between the parties.

The application *CM-13587-CII-2025* has been filed for release of the amount which was deposited in pursuance of the order passed by this Court dated 30.05.2017 and as modified vide order dated 09.08.2017 in favour of the applicant-appellant.

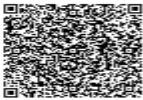
Learned counsel appearing on behalf of the applicant-appellant submitted that during the pendency of the present appeal, the entire matter



between the parties has been settled amicably and settlement deed has also been placed on record as Annexure A-1 and in this way, the entire transaction of money has taken place and the decree has been satisfied. He submitted that however as per order dated 03.05.2017, 50% of the amount was to be deposited by the applicant-appellant, out of which 25% was to be released to the decree-holder, which has already been done and with regard to the remaining 25% of the amount which comes out to be about Rs.3 crores, as per subsequent order dated 09.08.2017, the same was to be kept in a fixed deposit, with a further observation that the same would be given to the succeeding party on conclusion of the *lis*. He submitted that *lis* has now been concluded and the final settlement has been made as per Annexure A-1 and therefore the aforesaid amount alongwith interest be released to the applicant-appellant.

Mr. Sunil Chadha, learned Senior Advocate appearing on behalf of the respondents with Mr. Raghav Chadha, Advocate submitted that it is correct that the matter has been settled between the parties, as per Annexure A-1 and the respondents have received the entire amount from the appellant and therefore, he has no objection in case the amount, which was deposited before the learned Executing Court by virtue of the aforesaid orders passed by this Court is released to the applicant-appellant along with interest which has accrued in this regard.

In view of the submissions made by both the learned counsels for the parties, the present applications are disposed of. The appellant is permitted to withdraw the present appeal.



So far as amount which was deposited by the appellant in pursuance of the aforesaid orders is concerned, he shall be at liberty to get it released in his favour by filing any appropriate application before the learned Executing Court which shall thereupon pass an order on the same.

Main appeal

Dismissed as withdrawn.

20.08.2025

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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