

ITEM NO.27

COURT NO.14

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 11213/2020

(Arising out of impugned judgment and order dated 21-05-2020 in RSA No. 3569/2012 passed by the High Court Of Punjab & Haryana At Chandigarh)

PARVESH KUMAR

PETITIONER(S)

VERSUS

BIMLA DEVI & ORS.

RESPONDENT(S)

(FOR ADMISSION and I.R.)

Date : 01-08-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s)

Mr. Ajay Jain, Adv.
Mr. Jinendra Jain, AOR
Mr. Krishna Sharma, Adv.
Mr. Ishwar Chand Jain, Adv.
Ms. Shreya Jain, Adv.

For Respondent(s)

Mr. Vikas Verma, Adv.
Ms. Sapna Verma, Adv.
Mr. Shafik Ahmed, Adv.
Mr. Mayank Choudhary, Adv.
Ms. Anju, Adv.
Mr. Danish Saifi, Adv.
Mr. V. Elanchezhian, AOR

UPON hearing the counsel, the Court made the following
O R D E R

1. A limited notice was issued in the present matter on 08th January, 2021, on the aspect of refund of money in favour of the

petitioner. Learned counsel for the petitioner submits that he has filed a calculation sheet of the mortgaged amount. As per him, the amount payable as on date with compound interest is about ₹2,89,00,000/- (Rupees Two Crores Eighty Nine Lakhs)

2. We may note that in the impugned order, the learned Single Judge has taken note of an earlier order dated 19th December, 2019, wherein the respondents had offered a sum of ₹20,00,000/- (Rupees Twenty Lakhs) to the petitioner, towards full and final payment.

3. Having regard to the fact that by now, almost four years have passed since the said offer was made, it would be fair and equitable if the respondents are directed to pay a sum of ₹22,00,000/- (Rupees Twenty Two Lakhs) to the petitioner in full and final settlement of all the claims of the petitioner, subject matter of the present dispute.

4. The sum of ₹22,00,000/- (Rupees Twenty Two Lakhs) shall be paid by the respondents to the petitioner in four installments in the following manner:

1 st Installment of ₹5,00,000/-	On or before 16 th August, 2023
2 nd Installment of ₹5,00,000/-	On or before 31 st August, 2023
3 rd Installment of ₹5,00,000/-	On or before 30 th September, 2023
4 th Installment of ₹7,00,000/-	On or before 31 st October, 2023

5. An undertaking to pay the aforesaid amount in the manner indicated above shall be filed in the Registry of this Court within two weeks from today.

6. The aforesaid schedule has been drawn at the request of

learned counsel for the respondents. The respondents are cautioned to adhere to the schedule, failing which, they would be liable to face contempt of court proceedings.

7. It is also clarified that in the event, the petitioner is in possession of the subject premises, the same shall be handed back to the respondents within one month from today.

8. The petition for Special Leave to Appeal is disposed of on the above terms.

(POOJA SHARMA)
COURT MASTER (SH)

(NAND KISHOR)
COURT MASTER (NSH)