

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CACP-1-2023 (O&M)

Date of decision : 20.02.2023

Ashok Kumar Garg and others

.....Appellants

VERSUS

Satish Kumar Jain

....Respondent

CORAM:- HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Akshay Bhan, Senior Advocate with
Mr. Aman Talwar, Advocate and
Mr. Umang Goyal, Advocate
for the appellants.

Mr. Puneet Bali, Senior Advocate with
Mr. Sachin Jain, Advocate and
Mr. Rajinder Singla, Advocate
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Affidavit of Ashok Kumar Garg s/o Des Raj Garg dated 20.02.2023, has been filed in Court on behalf of M/s Allwin Infrastructure Limited (Formerly Satish Kumar Contractors Limited), which is taken on record, wherein in Para-4, it has been stated as follows:-

“4. That during the course of instant proceedings, both Ashok Kumar Garg (Appellant No.1) and Satish Kumar Jain (Respondent) in CACP-1-2023 have arrived at settlement on 17.02.2023 in terms of decree dated 27.01.2016 and executed a fresh settlement agreement dated 17.02.2023, (Annexure -1). In the light of the same, I on behalf of the company M/s Allwin Infrastructure Limited (Formerly Satish Kumar Contractors Limited) state and affirm that the company shall make due compliance of the order passed by the Hon'ble High Court of Punjab and Haryana or any other competent court having

jurisdiction to deal with the dispute between Ashok Kumar Garg and Satish Kumar Jain regarding distribution between Ashok Kumar Garg and Satish Kumar Jain regarding distribution of the amounts mentioned in the Fresh Settlement Agreement dated 17.02.2023.”

Fresh Settlement Agreement dated 17.02.2023 (Annexure-1), duly signed by the appellants as well as the respondent have been filed in Court, which is taken on record and marked as Annexure-A.

As per the terms of the agreement, cheque amounting to ₹22,20,013/- drawn by M/s Allwin Infrastructure Limited in favour of respondent-Satish Kumar Jain has been handed over to the counsel for the respondent, who has accepted the same.

Counsel for the parties have made statement that the Fresh Settlement Agreement be made a part of the order itself binding both the parties to the same.

In the light of the joint statement made by the counsel for the parties, the Fresh Settlement Agreement dated 17.02.2023 (Annexure-A) is made a part of the order binding the parties to the same. It goes without saying that M/s Allwin Infrastructure Limited would also be bound by the said fresh settlement agreement.

Since the matter has been settled between the parties, the present appeal stands disposed of leaving it open to counsel for the parties to make a statement before the Hon'ble Contempt Court, which had passed the order dated 06.01.2023 about the matter having been settled between the parties.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

20.02.2023
R. sharma

**(VIKRAM AGGARWAL)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*