

ITEM NO.20

COURT NO.16

SECTION IV-B

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 723/2023

[Arising out of impugned final judgment and order dated 15-09-2022 in CM No. 6458/2022 in R.S.A. No.98 of 2018 passed by the High Court of Punjab & Haryana at Chandigarh]

JAGE RAM

PETITIONER(S)

VERSUS

VED KAUR &amp; ORS.

RESPONDENT(S)

Date : 28-01-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Mr. Rajinder Singh Kataria, Adv.  
Mr. S.P.Laler, Adv.  
Ms. Twinkle Kataria, Adv.  
Mr. Rameshwar Prasad Goyal, AOR

For Respondent(s) Mr. Deepak Thukral, AAG  
Mr. Samar Vijay Singh, AOR  
Ms. Sabarni Som, Adv.  
Mr. Aman Dev Sharma, Adv.  
Mr. Fateh Singh, Adv.

UPON hearing the counsel the court made the following  
O R D E R

1. Heard learned counsel for the parties.
2. The second appeal was decided by the High Court in terms of the settlement, a signed copy of which was produced before it.
3. Since the appeal was decided in terms of the settlement and not on merits, the petitioner prayed to refund the court fees paid by him in the trial Court as well as in the First Appellate Court and Second Appellate Court.
4. In the second appeal, the petitioner had paid

Rs.29,053/- (Rupees Twenty-Nine Thousand Fifty-Three only).

5. The High Court by the impugned order has rejected the prayer so made by the petitioner by holding that no ground for refund has been made out.

6. The refund of court fees is permissible only if the matter is referred to Arbitration, Conciliation, judicial settlement, including through Lok Adalat or mediation for settlement and the case is decided in terms of such a settlement and not otherwise.

7. In the case at hand, the settlement in terms of which the second appeal was decided by the High Court is not on reference to any of the above authorities/fora rather it was an amicable settlement out of the court.

8. Accordingly, we are of the opinion that the petitioner is not entitled to refund of the court fees and the High Court has not committed any error or illegality in refusing such a prayer.

9. Accordingly, the Special Leave Petition lacks merits and is dismissed. Pending application(s), if any, shall stand disposed of.

(Ram Subhag Singh)  
Assistant Registrar

(Geeta Ahuja)  
Assistant Registrar-cum-PS