

**HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU**

LPAOW No.7/2018
In OWP No.195/2005
IA No. 1/2018

Shweta Kumarswami

... Appellant(s)

Through:- Mr. R. K. Bhatia, Advocate

v/s

State of J&K and Others

... Respondent(s)

Through:- Ms. Seema Shekhar, Sr. AAG for
Respondent Nos. 1&2.
Ms. Surinder Kour, Sr. Advocate with
Ms. Manpreet Kour, Advocate for
Respondent Nos. 3&4.

**Coram : HON'BLE MR. JUSTICE RAJESH BINDAL, JUDGE
HON'BLE MS. JUSTICE SINDHU SHARMA, JUDGE**

ORDER

01. Challenge in the present appeal is to the order passed by the learned Single Judge whereby the writ petition filed by the appellant challenging the order passed by the J&K Consumers Protection Commission, Jammu, was dismissed.

02. The dispute pertains to the claim of damages on account of an alleged defective Dental Chair supplied to predecessor-in-interest of respondent Nos.3&4 by the Company known as M/s Eagle Dent Equipments Private Limited, Ahmedabad.

03. The complaint filed by predecessor-in-interest of respondent Nos.3&4 was allowed and sum of ₹ 1,03,500/- along with interest at the rate of 9% per annum from 09.07.1995 onwards, ₹ 10,000/- as compensation and ₹ 3,000/- as litigation charges, were directed to be paid.

04. On 22.02.2019, learned counsel for the appellant sought time to explore the possibility of amicable resolution of the dispute.

05. Today, he has submitted that the appellant has given instruction to him to state before the Court that the dispute can be resolved. The appellant is ready and willing to pay a sum of ₹ 1,03,500/- as full and final settlement of claim of the predecessor-in-interest of respondent Nos.3 and 4.

06. Learned counsel appearing for respondent Nos. 3&4 submitted that the offer made by the appellant is acceptable. In case the aforesaid stated amount is paid, the claim made by predecessor-in-interest of respondent Nos.3&4 shall stand settled finally.

07. After hearing learned counsel for the parties, the present appeal is disposed of in view of the settlement of dispute between the parties. Let the appellant pay a sum of ₹ 1,03,500/- to respondent No.3, as stated by learned counsel for respondent Nos.3&4, by way of a bank draft within a period of four weeks.

08. On the encashment thereof, the dispute as raised in the present litigation shall stand settled finally.

09. The appeal is disposed of accordingly.

(Sindhu Sharma)
Judge

(Rajesh Bindal)
Judge

Jammu
30.08.2019
Vijay

Whether the order is speaking:	Yes
Whether the order is reportable:	Yes/No