

In the High Court of Punjab and Haryana at Chandigarh

CR No. 1627 of 2015

Date of decision: 09.03.2015

Navdip Singh

.....Petitioner

Versus

Kirpal Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr.Kartik Gupta,Advocate
for the petitioner.

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SABINA, J

Petitioner has filed this petition challenging the order dated 1.11.2014 (Annexure P6) whereby the application moved by the petitioner to withdraw the written statement, was dismissed.

Learned counsel for the petitioner has submitted that the father of the petitioner had filed the suit for declaration that the *Tabdil Malkiatnama* dated 2.7.2008 was got executed from him by defendant No.1-Udham Singh in favour of the petitioner and his brother, was a result of fraud and misrepresentation. The written statement filed by the petitioner was not voluntary and the petitioner wanted to withdraw the same. In fact, mother of the petitioner was a clever lady and she took the petitioner to Court premises by administering some intoxicant and made him to sign the documents.

In the present case, the written statement filed by the

petitioner was duly signed by him. The said written statement was also supported by an affidavit filed by the petitioner. Petitioner had also executed power of attorney in favour of his counsel. Learned trial Court rightly dismissed the application moved by the petitioner as the plea taken by the petitioner that he had been made to sign the written statement as well as the other documents under intoxication, was not believable. It appears that, although, petitioner had earlier filed the written statement admitting the claim of his father but later he had changed his mind and moved an application that he may be permitted to withdraw the written statement. No ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

March 09, 2014
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