

In the High Court of Punjab and Haryana at Chandigarh.

**CWP-20184 of 2016
Decided on 27.9.2016**

Sarv Haryana Gramin Bank

--Petitioner

Vs.

Chairman, Permanent Lok Adalat for PUS Rohtak and another

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Dr.S.K.Redhu, Advocate, for the petitioner

Rakesh Kumar Jain,J: (Oral)

The petitioner is aggrieved against the observations made in para 5 of the impugned order passed by the Permanent Lok Adalat (PUS) Rohtak, Camp at Jhajjar, as according to the petitioner, Manager of the Bank did not make any such statement and in this regard, he has filed an affidavit also but it has been held by the Supreme Court in the case of **State of Maharashtra Vs. Ramdass Srinivas Nayak and others**, 1982 Supreme Court, 1249 that *“the Court is bound to accept the statements of the Judges recorded in their judgment as to what transpired in Court. It cannot allow the statement of the Judges to be contradicted by statements at the Bar or by affidavit and other evidence. If the Judges say in their judgment that something was done, said or admitted before them, that has to be the last word on the subject. The principle is well settled that statement of fact as to what transpired at the hearing, recorded in the*

judgment of the Court, are conclusive of the fact so stated and no one can contradict such statements by affidavit or other evidence. If a party thinks that the happenings in Court have been wrongly recorded in a judgment, it is incumbent upon the party, while the matter is still fresh in the minds of the Judges, to call the attention of the very Judges who have made the record to the fact that the statement made with regard to his conduct was a statement that had been made in error. That is the only way to have the record corrected. If no such step is taken, the matter must necessarily end there”.

Faced with this observation, learned counsel for the petitioner prays for withdrawal of this petition in order to file an application before the same Court in respect of the observations made in para 5 of the order.

Dismissed as withdrawn.

Liberty granted.

27.9.2016
rr

(Rakesh Kumar Jain)
Judge

Whether Speaking/Reasoned: **Yes/No.**

Whether Reportable: **Yes/No**