

**IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

Anuradha
2017.08.22 16:11
I attest to the accuracy and
integrity of this document

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**RSA-3982-2017
Decided on : 18.8.2017**

RAM CHANDER

....APPELLANT

VS

BISHAN DAYAL AND ORS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Joginder Pal Sharma, Advocate
for the appellant.

AJAY TEWARI, J.(Oral)

This appeal has been filed against the concurrent judgments of the Courts below dismissing the suit of the appellant whereby he has challenged the compromise decree dated 9.11.1976.

The case set up by the appellant was that in fact the decree dated 9.11.1976 had been obtained by practicing fraud and misrepresentation. Both the Courts below found that the appellant had accepted his presence in the Court and had also accepted his signature on the compromise deed and then went on to notice that after the appellant had accepted his presence and signature heavy onus lay down upon him to plead and prove the fraud which may have been practiced upon him. Despite his best efforts the appellant has not able to convince me that he was able to discharge his onus of pleading and proving the fraud.

In the circumstance, no fault can be found with the judgments of the Courts below. Appeal stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

**18.8.2017
anuradha**

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No