

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP-4111-2019 (O&M)
Date of Decision:10.07.2019**

Santokh

... Petitioner

Versus

The Presiding Officer & another

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. K.K. Thakur, Advocate for the petitioner.

....

TEJINDER SINGH DHINDSA, J. (ORAL)

Challenge in the instant writ petition is to the award dated 17.09.2016 (Annexure P-4) passed by the Presiding Officer, Lok Adalat/Civil Judge (Junior Division), Ferozepur and whereby a civil suit filed by respondent No.2, Baldev Raj has been dismissed as withdrawn on the basis of a compromise.

Counsel for the petitioner has been heard at length.

Perusal of the impugned award would reveal that the present petitioner and who was defendant in the suit, namely, Santokh had got recorded a statement that a compromise has been effected with the plaintiff for a total sum of Rs.3,57,500/- and that he will pay the aforesaid amount in 15 equal installments of Rs.23,833/- commencing w.e.f. January, 2017.

Counsel does not dispute that such statement had been suffered by the petitioner and which had been duly signed by him in the proceedings conducted by the Court on 08.09.2016.

The sole contention raised by counsel is that the petitioner was not medically fit and in his proper mental faculties at the stage of suffering

the statement. In support of such contention, the documents appended at Annexure P-7 (colly) have been adverted to. Even such documents have been perused by this Court. The same do not inspire any confidence. Most of the documents which are in the nature of discharge summaries and treatment slips relate to the year 2013 whereas the statement had been suffered by the petitioner on 08.09.2016. That apart, the documents at Annexure P-7 (colly) do not reveal any serious health condition that the petitioner was suffering from. The instant writ petition is nothing but an attempt being made by the petitioner to resile from a statement that he had suffered before the Court below.

No merit.

Dismissed.

10.07.2019*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |