

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

RSA No.4541 of 2012
Date of decision :14.3.2019

Iqbal Singh

.....Appellant

Versus

Balkar Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.R.N.Singal, Advocate for the appellant.
Mr.Surender Garg, Advocate for the respondent.

ANIL KSHETARPAL, J.

The defendant-appellant is in Regular Second Appeal against the concurrent findings of fact arrived at by both the Courts below decreeing the suit for recovery on the basis of pronote, Ex.P2 and receipt, Ex.P3 and deed of settlement signed between the parties before the Panchayat, Ex.P1. The compromise arrived at before the Panchayat has been duly proved. The defendant claimed that his signatures were obtained under police pressure. Both the Courts below, on appreciation of evidence, have found that the defendant has failed to prove the case set-up by him.

This Court has heard learned counsel for the parties at length.

Learned counsel appearing for the appellant while pointing out the small discrepancies in the oral evidence prayed that the judgments passed by the Courts below should be set aside.

The arguments being raised by learned counsel for the appellant are to re-appreciate the evidence. Both the Courts below have already appreciated the evidence while giving judgments under appeal. Although, learned counsel appearing for the appellant made sincere attempt to persuade this Court to take a different view, however, could not draw attention of the Court to any substantive error in the judgments passed by both the Courts below. Hence, while exercising jurisdiction under Section 41 of the Punjab Courts Act, 1918, this Court in absence of any substantive mis-reading or non-reading of evidence, do not find any ground to interfere.

Dismissed.

March 14, 2019
KD

(ANIL KSHETARPAL)
JUDGE

Whether speaking / reasoned:

Yes / No

Whether Reportable:

Yes / No