

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

CRM-M-13563 of 2022

Date of Decision: 26.04.2022

Rajan Batra

.....Petitioner

Versus

Amarjit Kaur Walia and Anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. R.S. Bajaj, Advocate for the petitioner.
Mr. Baljinder Singh, Advocate for respondent No.1.

HARINDER SINGH SIDHU, J

This petition has been filed praying for quashing of order dated 28.02.2021 (P.1) passed by learned Addl. Sessions Judge, Jalandhar dismissing the application filed by the petitioner for referring the dispute between the petitioner and respondent for mediation.

Respondent No.1 filed a complaint under Section 138 of the Negotiable Instruments Act against the petitioner for dishonor of a cheque of Rs.3 lacs. Vide judgment and order dated 25.05.2019 passed by learned JMJC, Jalandhar, the petitioner was convicted and sentenced to undergo RI for one year and six months and to pay compensation of Rs.3 lacs plus interest at the rate of 19 % from the date of issuance of the cheque till the date of the judgment.

Being dissatisfied, the petitioner preferred an appeal, which is pending before the learned Addl. Sessions Judge, Jalandhar. During the pendency of the appeal, the petitioner moved the application for referring the dispute for mediation which has been dismissed vide the impugned

order.

Heard.

Learned counsel for the respondent has clearly opposed referring the dispute for mediation and stated that there is no scope for settlement.

Vide impugned order, learned Addl. Sessions Judge has dismissed the application on account of the fact that respondent No.1 had not expressed his willingness for referring the dispute to mediation. Position is no different in the present petition.

In view thereof, no fault can be found with the impugned order.

Dismissed.

April 26, 2022
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No