

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

Sr. No.: 102

Civil Writ Petition No.24296 of 2024**Date of Decision: October 01, 2024**Mukesh Kumar & another

..... PETITIONER(S)

*VERSUS*Ram Kumar Master & others

..... RESPONDENT(S)

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA****PRESENT:** - Mr. Sunil Kumar Goswami, Advocate, for the petitioners.**Tribhuvan Dahiya, J (Oral)**

The petition has been filed, *inter alia*, seeking a writ of *certiorari*, quashing the order, dated 06.05.2024, whereby the petitioners/plaintiffs settled their civil suit before the Daily Lok Adalat presided over by Additional District Judge, Jind.

2. Learned counsel contended that the suit for mandatory injunction filed by the petitioners was decreed by the trial Court vide judgment and decree, dated 08.01.2018, directing the respondents/defendants to make payment of ₹ 3,25,000 alongwith interest at the rate of twenty-four per cent per annum, with effect from 21.11.2014 till final payment. At the time of settlement, the petitioners were given to understand that the interest amount would be paid later. However, no such payment has been made. Accordingly, they were misled while entering into the settlement.

3. Heard.

4. It is apparent on record, as recorded in the impugned order passed by the Lok Adalat itself, that the matter was compromised between the parties and the amount of ₹ 3,25,000 plus ₹ 500 was accepted by the



CWP No.24296 of 2024

[2]

petitioners as full and final settlement. Their statement to that effect was also recorded before the Lok Adalat. The assertion that they were assured of payment of interest at a later date, is no ground to set aside the impugned order which is based upon a settlement willingly entered into by the petitioners after accepting the due amount, excluding interest. It is not the petitioners’ case that the understanding about payment of the interest was a part of the settlement, nor was it recorded anywhere in the proceedings before the Lok Adalat.

- 5. In view thereof, there is no ground to entertain the petition.
- 6. Dismissed.

(Tribhuvan Dahiya)
Judge

October 01, 2024
avin

<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>