



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

**LPA No.2912 of 2024
Date of Decision: 05.03.2025**

Vishesh Bansal

.....Appellant.

Versus

District Judge-cum-Educational Tribunal,
Yamuna Nagar at Jagadhri and others

.....Respondents.

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
 HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present:- Mr. Munish Mittal, Advocate
 for the appellant.

SANJEEV PRAKASH SHARMA, J.(Oral)

The appellant in the present Letters Patent Appeal assails the judgment dated 13.09.2024 passed by the learned Single Judge in *CWP No.25349 of 2015* titled as '*Vishesh Bansal Vs. District Judge-cum-Educational Tribunal, Yamuna Nagar at Jagadhri and others*', whereby the writ petition preferred by him was disposed of as not maintainable.

2. It would be apposite to quote the observations made by the learned Single Judge in paragraph Nos.6 and 7 of the impugned judgment, which are as under:-

“6. It is not in dispute that the petitioner did enter into the settlement/compromise, and made a statement before the Lok Adalat, dated 05.11.2016, to the effect,



“Stated that I have reached a compromise with Respondents Nos.1 to 6 in the Lok Adalat and the details of the same are mentioned in the Application. Therefore, I do not want to pursue this appeal and I take back this appeal. In the same manner, I will be bound to take back all the pending cases in other Courts and the Hon’ble High Court. I now do not have any relation with this institution.” It is also not disputed that the settlement was acted upon by the parties as well. And the petitioner withdrew his appeal against termination pending before the Educational Tribunal which was dismissed as withdrawn vide order dated 05.11.2016. He has not challenged the settlement arrived at before the Lok Adalat in any Court of law; in fact, it has been acted upon by him in withdrawing the appeal. At this stage, the petitioner cannot be allowed to wriggle out of the settlement he willingly arrived at in his own interest, that too on the basis of affidavit, dated 03.02.2020, filed after about three and half years from the date of settlement, contending that it was entered into under compelling circumstances with the specific purpose of obtaining the experience certificate. It is not his case that he was illegally forced into it by the respondents under duress; the only contention is that the circumstances compelled him to enter into the settlement to obtain the certificate. This is not a sufficient ground to refuse to honour the remaining part of the settlement – to take back the instant petition.

7. In view thereof, the petition stands disposed of as not maintainable.”



3. It is an admitted position that as per the above settlement, the Experience Certificate was released in favour of the petitioner. Thus, the respondents have abided by the promise which they made in the Lok Adalat. The petitioner too would have to be bound by the same. A person cannot be allowed to approbate and reprobate at the same time and the law is settled on this aspect. The writ petition has rightly been dismissed by the learned Single Judge. No ground for interference is made out.

4. The present appeal is, accordingly, dismissed.

(SANJEEV PRAKASH SHARMA)
JUDGE

March 05, 2025
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

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