

Suit for recovery of money – Documents signed under duress – Debit notes stamped and signed by the respondents were in respect of trade discount on the wholesale price mentioned in the invoice – Large number of documents such as invoices, debit notes and ST-1 Form spread over 3 months is unbelievable to be an exercise of duress. The stand of the respondents is wholly untenable and unjustifiable in law and is only to defeat the legitimate claim raised by the appellant – Having accepted the trade discount, which is evident from the stamp and signatures not only on the debit notes but also on the invoice as well as on ST-1 Form, shows that the goods were actually lifted by the respondents for which payment has not been made – The respondents have taken up wholly untenable ground that the documents were signed under duress.

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