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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.454 OF 2015
WITH
CIVIL APPLICATION NO.602 OF 2013

Bharat M. Budukh	...Appellant
V/s.	
Dinkar S. Patil & Anr.	...Respondents

Ms.Amita Desai i/b Mr.A.V. Chatuphale for the Appellant.

Mr.A.B. Tajane for the Respondent. No.1.

CORAM : R.D. DHANUKA, J.
DATE : 19TH NOVEMBER, 2015.

P.C. :-

1. By this second appeal the appellant has impugned the order and judgment delivered by the learned District Judge, Solapur dated 19th December, 2011 dismissing the notice of motion filed the appellant (original plaintiff).

2. The appellant had filed a suit before the trial Court for recovery of Rs.50,000/- based on the alleged loan of Rs.50,000/- given to the original defendant no.1. I have heard learned counsel for the parties and have perused the orders passed by the courts below.

3. The learned trial court as well as the learned District Judge have rendered various findings of fact holding that the plaintiff had

failed to prove that any such loan of Rs.50,000/- was given by the plaintiff to the defendant no.1. The findings rendered by the courts below are not perverse and do not require any interference in the second appeal filed under Section 100 of the Code of Civil Procedure, 1908. There is no substantial question of law arises in this appeal. The appeal is devoid of merits and is accordingly dismissed.

2. In view of disposal of the second appeal, the civil application does not survive and is accordingly disposed of. No order as to costs.

(R.D. DHANUKA, J.)