

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.3391 of 2011 (O&M)
Date of Decision.18.09.2015

Avtar Singh

.....Appellant

Versus

Allahabad Bank

.....Respondent

Present: Mr. Inderjit Sharma, Advocate
for the appellant.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. Delays of 433 days in filing and 601 days in refiling the second appeal are condoned.

2. The second appeal is at the instance of the defendant. The suit was filed by the bank for recovery of amount of ₹ 1,19,374/-. The suit was rested on a plea that the defendant had applied for financial assistance under the Prime Minister's Rozgar Yojna for education unemployed youth and the loan was sanctioned to the tune of ₹ 95,000/- by the then Manager on 24.12.2003 on condition that the defendant will hypothecate the spare parts of wooden furniture finished and unfinished goods in the trade of wood and he will return amount in 60 monthly installments. The amounts had not been re-paid as undertaken and the suit was filed for recovery. The defendant contended that the documents had been prepared by the bank and signatures have been obtained on blank papers and details filled up later. The trial Court

rejected this contention and found the document as duly established and granted the decree. This judgment was affirmed in appeal by the appellate Court.

3. There is no merit at all in the second appeal for consideration as the case is well reasoned for dismissal. There is no reason to suspect that the Nationalized Bank would obtain signatures on blank papers without lending any amount to the defendant. The second appeal is dismissed.

(K. KANNAN)
JUDGE

September 18, 2015
Pankaj*