

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

RSA No. 2964 of 2012 (O&M)
Date of decision : 10.7.2015

Firm M/s Sadhu Ram and Sons	VS	... Appellant
Parmatma Singh		... Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. R. K. Girdhar, Advocate, for the appellant.

Rajesh Bindal, J.

The plaintiff is before this Court against concurrent findings of fact recorded by both the Courts below whereby the suit filed by him for recovery of ₹ 15,64,300/-, was dismissed.

The claim was made on the basis of *bahi* entry vide which amount was shown to have been paid, which was acknowledged by the respondent on 20.8.1999. The claim of the appellant was disputed by the respondent-defendant.

Besides the sole entry in the *bahi*, which was denied by the respondent-defendant, no other book of accounts or ledger showing all the transactions between the parties or that the amount was due from the respondent as per his account maintained with the appellant firm has been produced. Mere entry in the *bahi* on a particular day is not sufficient to claim that any amount is due from the person, who allegedly signed it as there may be other transactions before or after that transaction.

Considering the aforesaid material on record where there is no convincing evidence showing that the amount was due from the respondent-defendant, in my opinion, no illegality has been committed by the Courts below in dismissing the suit filed by the appellant-plaintiff. No substantial question of law arises. The appeal is accordingly dismissed.

10.7.2015
vs

(Rajesh Bindal)
Judge