

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Regular Second Appeal No. 4681 of 2012 (O&M)
Date of decision: 14.7.2015

Brij Lal and another

..Appellants

v.

State Bank of India

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. J. P. Sharma, Advocate for the appellants.

...

Rajesh Bindal J.

The defendants are before this court against concurrent findings of fact recorded by both the courts below, whereby the suit filed by the respondent-bank for recovery, was decreed.

In the case in hand, the respondent-bank filed a suit for recovery of ₹ 3,96,640/- along with pendente lite and future interest @ 15.21% per annum. The trial court decreed the suit, as prayed for. In appeal, the judgment and decree of the trial court were upheld.

The only contention sought to be raised by learned counsel for the appellants was that the amount of interest awarded is on higher side. The loan was taken for agricultural purposes. The same may be reduced.

A perusal of the account statement produced by the appellants along with the paper book shows that loan of ₹ 2,40,000/- was advanced to the appellants on 2.4.1999. From the very beginning, there was default in payment of instalments as first time ₹ 30,000/- were paid by the appellants on 30.6.2001 and thereafter ₹ 70,000/- on 15.12.2003 and ₹ 75,000/- on 3.7.2004. No effort was made to pay any amount or settle the account with the bank. The suit was filed on 24.1.2006 and the litigation is pending for

the last nine years, but till date the appellants have not made any effort to pay any amount to the bank to claim relief on account of interest, if admissible.

Considering the conduct of the appellants, I do not find any reason to interfere with the judgments and decrees of the learned courts below. The interest had been awarded by the courts below as per the terms and conditions of the loan agreement executed by the appellants. No substantial question of law arises in the present appeal. The same is, accordingly, dismissed.

(Rajesh Bindal)
Judge

14.7.2015
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