

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

**RSA No.3859 of 2014 (O&M)
Date of Decision.11.08.2015**

Gurnam Singh	Versus	Appellant
State Bank of India and others		Respondents

Present: Mr. Amit Gupta, Advocate for
Mr. Vipin Mahajan, 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. The plaintiff has filed the suit contending that the decree obtained against the plaintiff by the defendant-Bank was fraudulent and null and void. The burden was heavily on the plaintiff to establish such a fraud and the Court held that the decree had been passed for ₹ 2,27,446/- after due service to the plaintiff and he had also been summoned in the execution proceedings and he had put in appearance and only after the said proceedings, he had initiated the action. If the plaintiff was unable to establish the fraud in the manner set up by him especially when the burden of proof was heavily on him. There is nothing material shown to discredit the decisions taken by both the courts below. I find no substantial question of law involved for consideration in the second appeal.

2. The regular second appeal is dismissed.

**(K. KANNAN)
JUDGE**

August 11, 2015
Pankaj*