

HIGH COURT OF CHHATTISGARH, BILASPUR
SA No.483 of 2003

Union Bank of India, A Body corporate Constituted under Banking Companies (Acquisition & Transfer of Undertaking) Act, 1970, Head Office At Union Bank Bhawan 239, Vidhan Bhawan Marg, Nariman Point, Mumbai, Maharashtra & Interalia, A Branch at Scindhia Nagar, Durg, Distt. Durg, Chhattisgarh

---- Appellant

Versus

Arun Kumar Kanjilal Aged about years, S/o. F.C. Kanjilal, Savitri Kutir, 522 Scindhia Nagar, Durg City, District Durg, Chhattisgarh

---- Respondent

For Appellant	:	Dr.N.K.Shukla, Senior Advocate with Mr.Vikram Sharma, Advocate
For Respondent	:	None present

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

12/10/2018

1. This is plaintiff's second appeal under Section 100 of the CPC by which the trial Court has rejected the suit for recovery of an amount of ₹ 31,733/-, which has been affirmed by the First Appellate Court finding no merit.
2. Dr.N.K.Shukla, learned Senior Counsel along with Mr.Vikram Sharma, learned counsel for the appellant/plaintiff, would submit that concurrent finding recorded by two Courts below is contrary to law and perverse finding has been recorded by dismissing the suit.
3. I have heard learned counsel for the appellant and perused the records of the Courts below.
4. In a suit for recovery of ₹ 31,733/- filed by the appellant/plaintiff, both the Courts below have clearly recorded a finding that amount of ₹ 31,733/- and interest is not outstanding against the respondent/defendant. The concurrent finding recorded by two

Courts below is the finding of fact based on evidence available on record. I do not find any illegality or perversity in the said finding.

- 5.** Accordingly, the second appeal deserves to be and is hereby dismissed. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-