

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

**(1) RSA No.1417 of 1998 (O&M)
Date of Order: 31.07.2018**

Rama Sharma ..Appellant

Versus

Shakuntla Sharma and others ..Respondents

(2) RSA No.1418 of 1998 (O&M)

Rama Sharma ..Appellant

Versus

Shakuntla Sharma and others ..Respondents

(3) RSA No.3015 of 1998 (O&M)

Kaushlya Devi and others ..Appellants

Versus

Shakuntla Sharma and others ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the appellant(s)

**Mr. Gurdial Singh Jaswal, Advocate, and
Ms. Jaideep Kaur, Advocate,
for respondent nos.1 to 3**

**Mr. Deep Prabhu, Advocate,
for respondent no.6-SBI**

ANIL KSHETARPAL, J(Oral)

As per office report, service of notice on the appellant is complete. However, no one is present on her behalf. Hence, this court is left with no other choice but to decide the matter.

Defendant-appellant has filed three separate appeals against the concurrent judgments of the courts below, decreeing a suit for recovery of

an amount of R.42,000/- which was deposited by the plaintiff and late Sh. Shankar Dutt in State Bank of India. It is the case of the plaintiff that joint fixed deposit receipts were purchased with specific stipulation that the amount deposited can be withdrawn by either or survivor. Since, Shankat Dutt father-in-law joint holder has died, therefore, plaintiff claimed that she is entitled to the aforesaid amount. It was further pleaded that husband of defendant no.1 was in the bank and he by manipulation converted the FDRs in the name of defendant no.1. It is further pleaded that in a departmental enquiry, husband of defendant no.1 was dismissed from service.

Defendants contested the suit and pleaded that no contribution has been made by the plaintiffs and in fact the entire amount was deposited by late Sh. Shankar Dutt. It was further pleaded that there were 3 FDRs receipt of 14000/- each in the name of Shankar Dutt and Rama Sharma, defendant-appellant.

Both the courts after appreciation of the evidence available on the file have concurrently found that the FDRs which were purchased by the plaintiff and late Sh. Shankar Dutt which had been wrongly transferred in the name of late Sh. Shankar Dutt and defendant no.1.

On reading of the grounds of appeal, it is apparent that neither any substantial question of law has been raised nor any substantive misreading or non reading of evidence has been pointed out.

In view thereof, there is no good ground to interfere.

The regular second appeals are dismissed.

July 31, 2018
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No