

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

(121)

RSA-3364-2016 (O&M)

Date of Decision: October 30, 2018.

Davinder Singh

..Appellant

Versus

Veero

..Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. Gurmeet Singh Saini, Advocate, for the appellant.

AMIT RAWAL, J. (ORAL)

CM-8880-C-2016

For the reasons stated in the application, delay of 07 days in filing the appeal is condoned.

Application is allowed.

RSA-3364-2016

Appellant-defendant has not been successful in defending the suit for recovery of Rs.60,000/- as principal loan along with future interest @ 6% per annum from the date of decree till its realization.

Counsel for the appellant has submitted that the Courts below have abdicated in decreeing the suit without noticing the fact that the pronote and receipt were forged and fabricated and non suited the appellant-defendant on the premise that no expert was examined for comparing signatures of the defendant on pronote and receipt, thus there is illegality and perversity.

I am afraid aforementioned arguments is not sustainable, for, the plaintiff had discharged the onus by proving the pronote and receipt. In the absence of any concrete evidence in rebuttal, adverse inference rightly been drawn by the Courts below. Non-admission of the signatures by the

marginal witness DW-2 Sukhminder Singh on receipt Ex.P-2 would not help the defendant, for, during the cross-examination he did not specifically deny his signatures on the receipt nor any plea was taken by the defendant in the written statement in this regard.

In such circumstances, I do not find any illegality and perversity in the concurrent finding of fact arrived at by both the Courts below.

No ground is made out for interference. No substantial question of law arises for adjudication of this Court.

Dismissed.

(AMIT RAWAL)
JUDGE

October 30, 2018.
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No