

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

103

RSA-5433-2015 (O&M)

Date of Decision : 29.01.2018

Iqbal Singh

..... Appellant

Versus

Narinder Nath

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Dhirinder Chopra, Advocate
for the appellant.

AJAY TEWARI, J. (Oral)

By this appeal the appellant has challenged the concurrent judgments of the Courts below decreeing the suit filed by the respondent for recovery.

The case of the respondent was that he was a commission agent and there was a running account between the parties and at one stage the appellant had borrowed the amount in question and had duly executed a pronote of the receipt. The case of the appellant was of total denial stating that in the first place no consideration passed to him on the alleged pronote and the pronote was a forgery. Both the courts below found as a fact that the respondent had proved the pronote and a compromise on which the appellant was placing reliance had not been proved. The courts below however discarded the plea of the respondent for charging interest @ 2% per month and instead limited it to 9% per annum pendente-lite and 6% per annum future interest.

Counsel for the appellant has not been able to show how the judgments of the courts below are flawed, which material evidence has not been considered or which evidence has been considered was perverse so as to justify interference in regular second appeal.

Consequently, the appeal is dismissed. No costs.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

January 29, 2018
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No