IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA No.6538 of 2018
Date of Decision:13.12.2018

M/s Sandhya Finance Ltd. through its partner ...Appellant(s)

Versus

Smt. Phoolwati and another ...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the appellant.

ANIL KSHETARPAL, J.

Called twice. However, no one has come forward to argue the appeal. This Court has gone through the judgments passed by the courts below.

The plaintiff-appellant is in the regular second appeal against the concurrent findings of fact arrived at by the courts below, dismissing their suit for recovery of Rs.2,84,173/- against a loan taken through the registered mortgage-deed.

It has come in the evidence and noticed by both the courts below that the defendants had already deposited a sum of Rs.7,78,000/- against loan of Rs.3,00,000/-. The courts have also noticed that the plaintiff claimed interest @24% and penal interest @30%. Still further, the compound interest is being claimed. However, the agreement does not show that there was any clause with regard to compound interest.

Still further, both the courts have noticed that although the plaintiff is a finance company but ledgers have not been produced.

In view of the above, there is no ground to interfere. Hence, regular second appeal is dismissed. Pending application(s), if any, shall also stand disposed of, in terms thereof.

13.12.2018 **(ANIL KSHETARPAL)**
mks **JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No