

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

**RSA-2927-2013(O&M)
Date of decision: 05.03.2020**

M/s Jageera Food

.....Appellant

Versus

State Bank of Patiala and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Ms.Priya Singhi and
Mr. Nitesh Singhi, Advocates for the appellant

Mr. S.K.Jain, Advocate and
Mr. Akshay Jain, Advocate for the respondents

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-appellant has filed the present Regular Second Appeal against concurrent finding of facts arrived at by the Courts below while dismissing the suit filed for recovery of ₹ 10,75,000/- towards damages. The plaintiff claimed damages from the Bank with an assertion that the Bank had sanctioned a loan of ₹25 lacs but failed to disburse the complete amount and thereafter, unilaterally closed the account.

Both the Courts on appreciation of evidence have found that there is no document of sanction of loan of ₹25 lacs and the account was closed on account of irregular payment and defaults committed by the plaintiff. Thus, both the Courts have dismissed the suit.

This Court has heard learned counsel for the parties at length and with their able assistance gone through the judgments passed by the Courts below and the requisitioned record. Learned counsel for

the appellant fairly admitted that there is no document to prove that loan of ₹25 lacs was sanctioned. Further she contended that loan of ₹ 9 lacs was sanctioned, although, application was for ₹25 lacs.

Thus, the foundation laid down by the plaintiff to file a suit for recovery by way of damages is incorrect. Hence, no ground to interfere is made out.

Dismissed.

05.03.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No