

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

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**Civil Revision No.629 of 2022(O&M)
Date of decision:24.02.2022**

Sanjay Kumar and another

...Petitioners

Versus

Mahabir Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Ashwani Bhardwaj, Advocate,
for the petitioners.**

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

This revision petition under Section 115 CPC has been filed with a prayer to set aside the concurrent findings of fact arrived at by the Courts below while decreeing the suit for recovery of Rs.22,250/-.

Since the regular second appeal is not maintainable, therefore, the petitioners have filed the present revision petition.

The learned counsel representing the petitioners contends that the suit could be decreed only against defendant no.3 as the tractor-trolley was belonging to the plaintiff (respondent) was hired for the benefit of work at boosting station carried out by defendant no.3.

This court has considered the submission.

Both the courts after appreciating the evidence have found that defendant no.1 and 2 (the appellants) had hired the tractor-trolley of the plaintiff(respondent).

This aspect has been considered by both the courts in detail. The first appellate Court has held that since defendant no.3 and 4 did not hire tractor-trolley of the plaintiff, therefore, no decree against them was passed.

Keeping in view the aforesaid facts, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

February 24, 2022
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(ANIL KSHETARPAL)
JUDGE

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