

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

**102**

**RSA-511 of 2011(O&M)  
Date of Order: 25.05.2022**

**Sawan Singh**

**..Appellant**

**Versus**

**Sukhdev Singh**

**..Respondent**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Sandeep Jasuja, Advocate,  
for the appellant.  
Mr. J.S.Brar, Advocate,  
for the respondent.

**ANIL KSHETARPAL, J(Oral)**

While assailing the concurrent findings of fact arrived at by the courts below the defendant has filed the present appeal.

A suit for recovery of Rs.2,37,360/- on the basis of a pronote and receipt has been decreed by both the courts below. It was noticed that the witness of the pronote as well as its scribe have supported the case of the plaintiff.

The learned counsel representing the appellant contends that from careful testimony of the witness examined by the plaintiff, it is evident that the plaintiff is in the business of money lending therefore, in absence of licence/registration under the Punjab Registration of Money Lenders Act, 1938, no suit for recovery could be filed.

The learned trial court has examined the aforesaid fact and held that the plaintiff is, in fact, an agriculturist. The act of lending money to few persons by an agriculturist cannot be equated with a money lender, who is exclusively in the aforesaid business.

Dismissed.

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

May 25, 2022

*nt*

(ANIL KSHETARPAL)  
JUDGE

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