

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

RSA No. 618 of 2023 (O&M)

Date of decision: 10.03.2023

Mahabir Singh

..... Appellant.

Versus

Ravi Parkash

..... Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. J.P. Sharma, Advocate, for the appellant.

ANUPINDER SINGH GREWAL, J. (ORAL)

CM No. 2402-C of 2023

This application is for condonation of delay of 186 days in re-filing the appeal.

Heard. For the reasons stated in the application, the same is allowed and the delay of 186 days in re-filing the appeal is condoned.

RSA No. 618 of 2023 (O&M)

The appellant has challenged the judgments and decrees of the courts below whereby suit preferred by the respondent/plaintiff for recovery of ₹2,19,300/- has been decreed.

Learned counsel for the appellant/defendant submits that the suit has erroneously been decreed although there was no cogent evidence of the respondent/plaintiff having advanced money to the appellant/defendant.

Heard.

The respondent/plaintiff had filed a suit for recovery of ₹2,19,300/- (₹1,28,000/- as principal and ₹91,300/- as interest). The

respondent/plaintiff had been able to prove by cogent evidence that the money had been advanced to the appellant/defendant. The appellant/defendant had signed two pronotes in this regard. The scribe of the pronotes, namely, Sunder Lal had appeared as PW1 and proved the pronotes and the receipts. PW2 Roop Ram, who was the attesting witness to both the pronotes, had identified his signatures on both the pronotes and proved the same on record. The appellant/defendant could not lead any cogent evidence in support of his defence that his signatures on the pronotes had been fraudulently obtained. Therefore, I do not find any infirmity in the impugned judgments and decrees passed by the courts below whereby the suit of the respondent/plaintiff has been decreed.

Consequently, the appeal stands dismissed.

Pending application(s), if any, shall also stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

10.03.2023
Ramesh

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