

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

124

2023:PHHC:132122

**RSA-9808-2018(O&M)
Date of decision: 11.10.2023**

**GENERAL MANAGER, THE HISAR DISTRICT
COOPERATIVE BANK LIMITED AND ANR. ..Appellants**

Versus

ROSHNI DEVI AND ANR. ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajvir Singh Sihag, Advocate
for the appellants.

ANIL KSHETARPAL, J(Oral)

1. The correctness of the concurrent findings of the fact arrived at by the Courts below is challenged in this appeal by the defendant.
2. In order to comprehend the issue involved in the present case, the relevant facts, in brief, are required to be noticed.
3. The respondent's husband namely late Sh. Vinod Kumar was serving in a cooperative bank. He died during harness on 01.02.1997. His widow Smt. Roshni Devi was employed on the compassionate basis on 28.02.2004. Thereafter, in the year 2012, Smt. Roshni Devi was served with two notices to deposit Rs.5,27,380/- and Rs.46,427.55/-. According to the case of the appellants, this amount was misappropriated by the husband of the plaintiff.
4. Both the Courts have held that the bank failed to produce the relevant documents to prove that there was any misappropriation by the husband of the plaintiff. The Courts have also held that the notices for recovery have been served after a gap of 15 years and therefore, the said notices are not sustainable.

5. The learned counsel representing the appellant failed to draw the attention of the Court to any substantive error in the reasoning given by the Courts below.
6. Hence, no ground to interfere is made out.
7. Dismissed.
8. All the pending miscellaneous applications, if any, are also disposed of.

October 11th, 2023
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(ANIL KSHETARPAL)
JUDGE

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