



230

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

RSA-1975-2000 (O&M)

Date of Decision : 14.10.2024

State Bank of India

... Appellant(s)

Versus

M/s Tarsem Kumar Contractor & Co. and Anr.

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ashok Gupta, Advocate for the appellant.

Mr. Ajay Jain, Advocate for the respondents.

ALKA SARIN, J. (Oral)

1. The suit was filed by the plaintiff-appellant Bank for recovery of Rs.45,900.85 ps. The said suit was dismissed vide judgment and decree dated 15.09.1997. Aggrieved by the same, an appeal was preferred by the plaintiff-appellant Bank which was also dismissed vide judgment and decree dated 13.01.2000. Hence, the present regular second appeal by the plaintiff-appellant Bank.

2. Learned counsel for the defendant-respondents has shown the original account closure certificate dated 19.06.2024 wherein it has been stated that Loan Account No.30041033252 for Rs.66,684/- in the name of M/s Tarsem Kumar Contractor & Co. (defendant-respondents herein) was closed as per their books of records and there was no outstanding. Photocopy of the certificate dated 19.06.2024 is retained and the original is returned to the learned counsel for the defendant-respondents.

3. Faced with the same, the learned counsel for the plaintiff-appellant Bank states that the present appeal may be dismissed as having been rendered infructuous. However, he prays that liberty be granted to revive the appeal in case anything survives since he has no instructions in the matter.

4. In view of the above, the present appeal is dismissed as having been rendered infructuous with liberty to revive in case anything survives in the matter. Pending applications, if any, also stand disposed off.

14.10.2024
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO