



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No.233 of 2025 (O&M)

Date of Order:07.02.2025

Priyanka

..Appellant

Versus

Arun Kumar Dutt

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Rakhi Sharma, Advocate
for the appellant.

ANIL KSHETARPAL, JUDGE (Oral)

C.M.No.677-C-2025

1. For the reasons mentioned in the application, which is supported by affidavit, the delay of 44 days in filing the appeal is condoned.

2. CM stands disposed of.

MAIN

3. The defendant assails the correctness of the concurrent findings of fact arrived at by the courts below while decreeing the plaintiff's suit for recovery of Rs.55,250/-.

4. In fact, the appellant is sister-in-law of the respondent(plaintiff). There is evidence that the plaintiff transferred Rs.50,000/- in the bank account of the appellant, which is not even disputed by the defendant. It was asserted by the defendant that the aforesaid amount was transferred towards return of articles, however, she failed to prove the same. The defendant did not step into the witness box. Thus, the court has drawn adverse inference in view of Section 114 of the Indian Evidence Act, 1872.



- 5. The learned counsel representing the appellant made sincere attempts, however, failed to draw the attention of the court to any substantive error in appreciation of the evidence.
- 6. Keeping in view the aforesaid facts and discussion, no ground to interfere is made out.
- 7. Dismissed.
- 8. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

February 07, 2025
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No