

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

107

2025:PHHC:036455



**RSA-2732-1999 (O&M)
Date of decision: 18.03.2025**

RAVI KUMAR

..Appellant

Versus

CANARA BANK

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. K.R. Dhawan, Advocate
for the appellant.

Mr. Amandeep Singh, Advocate
for Mr. Munish Yadav, Advocate
for respondent-Bank.

ANIL KSHETARPAL, J(Oral)

1. The defendant assails the correctness of First Appellate Court judgment, which in turn has reversed the judgment of the trial Court.
2. The defendant, a Nationalized Bank filed suit for recovery of Rs.59,313/- along with future interest at the rate of 15.5% per annum while asserting that the appellant borrowed a loan of Rs.25,000/- on 22.05.1987 but defaulted in repayment. The defendant contested the suit by denying borrowing of loan. It was asserted by the appellant that a fraud has been played by Sh. Mohinder Singh, Branch Manager, in connivance with his uncle Sh. Mohan Lal. The trial Court dismissed the suit, however, the First Appellate Court passed decree of Rs.25,000/- along with interest at the rate of 12% per annum
3. This Bench has heard the learned counsel representing the parties at length and with their able assistance perused the paperbook.
4. Learned counsel for the appellant submits that the bank has neither proved the mode of payment of loan nor the appellant was eligible



for the loan as he was in employment. He further submits that in the year 1988, the appellant replied to the notice but the suit was filed in the year 1993.

5. This Court has considered the submissions of learned counsel for the appellant.

6. Admittedly, Sh. Mohan Lal, uncle of the appellant. He has not been examined by the appellant. The plaintiff-bank has produced overwhelming evidence to prove that the defendant while borrowing the amount signed on various loan documents. The particulars of the fraud were required to be pleaded and proved by the defendant. The defendant does not dispute that the suit was filed by the plaintiff within the prescribed period of limitation.

7. Dismissed.

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

March 18th, 2025

Ayub

(ANIL KSHETARPAL)
JUDGE

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