

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

R. S .A. No. 4187 of 2004

Date of decision: 30.11.2007

Sukhdev Singh

...Appellant

Versus

Punjab and Sind Bank

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Daldeep Singh, Advocate for the appellant.

Mr. I.P.Singh, Advocate with
Mr. Dipinder Singh, Advocate for respondent.

RAJESH BINDAL, J.

The defendant is in second appeal before this Court against the judgment and decree of the Courts below whereby suit filed by the respondent bank for recovery of Rs. 4,03,980/- alongwith interest at the rate of 17% per annum was decreed.

Notice of motion was issued only on the contention that interest is excessive and the amount may be recovered in installments. The conduct of the appellant shows that inspite of pendency of the present appeal before this Court for the last more than three years, he is not ready and willing to pay the amount to the respondent bank despite the decree against him. Even otherwise, the direction for payment of interest by the Courts below is strictly in terms of the agreement between the parties.

Seeing the conduct of the appellant and also the terms of the agreement as have already been considered by the Courts below while decreeing the suit filed by the bank, I do not find any substantial question of law arises in the present appeal and the same is dismissed.

November 30, 2007

Pka

(Rajesh Bindal)

Judge