

IN THE COURT OF RAVNEET KAUR BEDI, PCS,
CIVIL JUDGE (JUNIOR DIVISION),
PATHANKOT UID No. PB0640.

CNR No. PBPO020008032021

Case No. CS/567/2021



Presented on : 18.06.2021

Registered on : 18.06.2021

Decided on : 21-04-2025

Manmohan Singh, son of Achhar Singh, resident of Village Jakraur, P.O. Chashma, Tehsil and District Pathankot.

Plaintiff....

Versus

1. Suman Devi wife of Iqbal Singh @ Sat Pal Singh resident of Bhawani, P.O. Janglan, Tehsil and District Pathankot.

2. Mini daughter of Iqbal Singh @ Sat Pal Singh resident of Bhawani, P.O. Janglan, Tehsil and District Pathankot.

3. Shivani daughter of Iqbal Singh @ Sat Pal Singh resident of Bhawani, P.O. Janglan, Tehsil and District Pathankot.

Defendants....

Suit for permanent injunction restraining the defendants their relatives, associates from passing any threat and from moving false and frivolous complaints against the plaintiff before police in order to cause unnecessary harassment to the plaintiff for skipping their liability to pay Rs.45,000/- to the plaintiff as their legally enforceable liability.

Present: Sh. Deepak Rasotra Advocate for the plaintiff.
Defendant exparte.

JUDGMENT

1. The present suit has been filed by the plaintiff against the defendants for permanent injunction as detailed in the head note.

2. It is submitted that the plaintiff is a law abiding senior citizen of the India and is the permanent resident of the above mentioned address. The husband of the defendant No.1 namely Iqbal Singh @ Sat Pal was the fast friend of the plaintiff and due this friendship relations the defendants are also known to the plaintiff and have cordial relations with the plaintiffs family also. It is further submitted that the defendant No.1 in the month of December 2019, due to cordial relations, approached the plaintiff and requested that the defendant No.1 has fixed the marriage of the defendant No.2 in the month of August 2020, as per the version of the defendant No.1, and as the defendant is a widow lady, she had herself to manage for the marriage of her daughter i.e. the defendant No.2 and requested the plaintiff to help the defendant No.1 in the marriage of her daughter and as the defendants has a landed property (Agricultural land at Village Bhanwani) she will return the amount, which the plaintiff will give a friendly loan/help to the defendant No.1, as and when the defendant No.1 would get sanction limit in the bank against the landed property. It is further submitted that on request and assurance of the defendant No.1 to return the helped amount to the plaintiff as and when she would get sanction limit account in the bank against the landed property, the plaintiff started helping the defendant No.1 for purchasing the material/goods and other items for the marriage of the defendant No.2 and gave different amounts at different dates to the defendant No.1 as detailed below:

- | | | |
|----|---------------|-------------|
| a. | On 07.12.2019 | Rs.20,000/- |
| b. | On 10.12.2019 | Rs.10,000/- |

c.	On 11.12.2019	Rs.20,000/-
d.	On 13.12.2019	Rs.10,000/-
e.	On 16.12.2019	Rs.30,000/-
f.	On 23.12.2019	Rs.30,000/-
g.	On 27.01.2020	Rs.25,000/-
h.	On 21.01.2020	Rs.1,00,000/-
Total		<u>Rs.2,45,000/-</u>

3. It is further submitted that in this way as mentioned/detailed above the defendant No.1 had received an amount of Rs.2,45,000/- from the plaintiff. The plaintiff had withdrawn amounts from item “a” to “g” as mentioned/detailed above from his saving account No.11831000003641 in the Punjab & Sind Bank, Branch Sarna, Tehsil and District Pathankot and the amount of Rs.1,00,000/- was taken by the plaintiff from Sh. Ram Lal son of Sh. Thakur Dass resident of Village Jakror, Tehsil and District Pathankot through cheque on 21.01.2020, which was encashed by the plaintiff on the same day and gave the said amount of Rs.1,00,000/- to the defendant No.1 in cash on 21.01.2020. It is further submitted that thereafter the plaintiff came to know that the defendants got sanctioned cash credit limit in their name in bank, then the plaintiff in the month of March 2021 the plaintiff approached the defendant No.1 and requested that as the defendants have got sanctioned a cash credit limit in their name, as such the money received as friendly loan/help by the defendant No.1 from the plaintiff should be returned to the plaintiff and thereafter after several requests which folded hands of the plaintiff, the defendants issued a cheque amounting to Rs.2,00,000/- and further assured that the remaining amount of Rs.45,000/- will also be returned to the plaintiff

within one week. The said cheque was duly encashed by the plaintiff on dated 30.03.2021, but thereafter despite of several requests with folded hands by the plaintiff the defendants are not returned the balance amount of Rs.45,000/- to the plaintiff rather the defendants are threatening the plaintiff that if the plaintiff will ask for the remaining amount of Rs.45,000/- then the defendants will implicate/involve the plaintiff will be detained in prison for the remaining life, as the defendants have links with higher police officials. It is further submitted that the plaintiff requested the defendants not to pass any such threats and to return the remaining amount of Rs.45,000/- to the plaintiff, but the defendants are adamant and head strong persons flatly refused to accede the genuine requests of the plaintiff. Hence this suit.

4. Defendants despite being served did not appear before the court and was therefore proceeded against *exparte* vide order dated 09.07.2021.

5. A careful perusal of the file shows that the plaintiff has since availed 13 effective opportunities for his *exparte* plaintiff evidence, subject to last opportunity and costs but the plaintiff has utterly failed to bring on record even a single evidence which shows that the plaintiff has no interest in pursuing his suit. Given the circumstances, further grant of adjournment for *exparte* plaintiff evidence is not justified. Hence, the court is constrained to close the *exparte* plaintiff evidence by order.

5

6. In view of the above discussion, plaintiff has miserably failed to prove his case. Accordingly, the suit of the plaintiff fails and the same is hereby dismissed under Order 17 Rule 3 CPC. Decree sheet be prepared and file be consigned to the Judicial Record Room, Pathankot after due compliance.

Pronounced in Open Court
Dated: 21.04.2025.

Ravneet Kaur Bedi, PCS
Civil Judge, (Junior Division),
Pathankot/UID No. PB0640.

Typed by: Priyanka Thakur, SG-III
"I attest to the accuracy and authenticity of this document."