

SUPREME COURT OF INDIA

Ka Icilda Wallang

Vs.

U. Lokendra Sujam

C.A.No.2645 of 1977

(O. Chinnappa Reddy and M. M. Dutt, JJ.)

27.02.1987

ORDER:-

1. Both the appellate court and the High Court have found that the plaintiff was not a money-lender within the meaning of Assam Money Lenders' Act, 1934. The High Court observed that a few disconnected and isolated transactions would not make the plaintiff a person engaged regularly in Money lending business. The approach of the High Court to the question was correct. We also notice that the defendants did not take the plea that the plaintiff was moneylender in the written statement nor did they adduce any evidence before the trial Court that the plaintiff was a money-lender. In view of this we find no merit in the appeal. It is, therefore, dismissed, but in the circumstances without costs.

Appeal dismissed.