

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

**RSA No.1373 of 2010 (O&M)  
Date of decision: 22.09.2015**

Bharat Sanchar Nigam Limited

... Appellant

Vs.

Tirath Singh

... Respondent

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. D.R.Sharma, Advocate  
for the appellant.

Mr. S.K.Bawa, Advocate  
for the respondent.

**AMIT RAWAL J. (Oral)**

Challenge in the present appeal is to the impugned judgment and decree of the lower Appellate Court, whereby, the appeal filed by the respondent-defendant against the judgment and decree dated 29.08.2006, vide which the suit for recovery of ₹8,4505/- on account of arrears of telephone bill along with 6% interest, had been decreed.

Mr. D.R.Bansal, learned counsel appearing on behalf of the appellant-plaintiff submits that the lower Appellate Court

dismissed the suit on the ground that suit was time barred. He further submits that bill claiming amount of ₹ 67,269/- from the period 1.10.2001 to 31.12.2001 was issued on 18.01.2002 and due date for payment was 21.02.2002 and this fact has also been admitted by the respondent in his cross-examination, therefore, the lower Appellate Court has committed illegality and perversity in dismissing the suit, much less, substantial question of law arises to be determined by this Court.

Mr. S.K.Bawa, learned counsel appearing on behalf of the respondent submits that bill dated 18.01.2002 was allegedly issued in respect of arrears w.e.f. August, 2001 to December, 2001 and therefore, the lower Appellate has rightly rendered the finding that institution of suit in January 2005, i.e. 18.01.2005, was time barred.

I have heard learned counsel for the parties and appraised the impugned judgments and decrees of the Courts below.

The aforementioned facts are not in dispute, in essence, the arrears of telephone bill were due, w.e.f. August, 2001 to 31<sup>st</sup> December, 2001. The suit had been filed on 18.01.2005. The appellant-plaintiff cannot enlarge the period of limitation from the date of issuance of bill. Assuming for the sake of arguments, the bill has been issued in respect of earlier period, limitation would start from the date when the arrears are due and not from the date of issuance of bill. Therefore, I do not find any illegality and perversity in the impugned judgment and decree, whereby, the suit for recovery of the

aforementioned amount, has been dismissed, much less, no substantial question of law arises to be determined by this Court.

Accordingly, the appeal is dismissed.

**(AMIT RAWAL)**  
**JUDGE**

**September 22, 2015**  
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