

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

**Regular Second Appeal No.1224 of 2015 (O&M)
Date of Decision: October 29, 2015.**

M/s Jagdamba Rice Mills

.....APPELLANT(s).

VERSUS

Bharat Sanchar Nigam Limited

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. P.S. Rana, Advocate
for the appellant (s).

SURINDER GUPTA, J.

Heard.

2. This is Regular Second Appeal against the concurrent findings of Courts below, whereby the suit filed by Bharat Sanchar Nigam Limited (later referred to as 'BSNL') for recovery of ₹2,46,954/- was decreed.

3. During the course of arguments, the only plea raised by learned counsel for the appellant is that the suit is barred by limitation as the amount claimed by BSNL pertains to the year 1999. The cause of action to recover that amount occurred in that year, but the suit was filed on 30th September, 2003. Both the Courts below found the suit as within limitation from the date of constitution of BSNL on 1st October, 2000.

4. The above matter has already been discussed at length by Coordinate Bench of this Court in Minakshi Thapar vs. Union of India,

2013(1) RCR (Civil) 787 and the suit filed by BSNL, which came into existence on 1st October, 2000, to recover the dues of Union of India filed within three years of its constitution, was held to be within limitation. The same issue has also been dealt with by this Bench while deciding Regular Second Appeal No.2666 of 2010(titled as Bharat Sanchar Nigam Limited (BSNL) Versus Ishwar Chand) and other connected regular second appeals decided on 20th January, 2015 and it was observed that all such suits for recovery filed by BSNL on or before 30th September, 2003 are within limitation.

5. As the controversy pertaining to the question of limitation, raised during this appeal, has already been set at rest, no substantial question of law arises in this appeal, which has no merits.

6. Dismissed.

October 29, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE