

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

RSA No.4469 of 2014 (O&M)

Date of decision:17.11.2015

Harcharan Singh and another

... Appellants

Vs.

Shumer Singh Puri

... 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. Ashish Gupta, Advocate
for the appellants.

AMIT RAWAL J. (Oral)

C.M.No.10337-C of 2014

For the reasons stated in the application, duly supported by an affidavit, delay of 11 days in filing the appeal, is condoned.

C. M. stands disposed of.

RSA No.4469 of 2014 (O&M)

Appellant-defendants are in Regular Second Appeal against the concurrent findings of facts and law, whereby, the suit for recovery of the damages to the tune of ₹ 5.00 lacs along with interest @12% per annum from the date of institution of the suit till date of decree on principal amount and @ 6% per annum till realisation, has

been decreed.

Mr. Ashish Gupta, learned counsel appearing on behalf of the appellant-defendants submits that filing of suit in 2001 was time barred as alleged incident is of the year 1995. The aforesaid fact has not been noticed by the Courts below.

I have heard learned counsel for the appellant-defendants and appraised the judgments and decrees of the Courts below.

In pursuance to the incident occurred in the year 1995, appellant-defendants faced the prosecution in a criminal case which resulted into conviction for a period of three years vide judgment dated 12.12.2000. The said conviction has been upheld vide Ex.P14. The cause of action, in my view, had accrued in favour of the respondent-plaintiff after the date of conviction and the filing of suit in the year 2001 cannot be said to be barred by law of limitation.

I do not intend to differ with the findings rendered by both the Courts below, which are based upon the appreciation of oral and documentary evidence, much less, no substantial question of law arises to be adjudicated by this Court.

Accordingly, the appeal is dismissed.

(AMIT RAWAL)
JUDGE

November 17, 2015
savita