

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

RSA No.4497 of 2009 (O&M)
Date of decision : 11.02.2016

Gurdev Singh Brar

...Appellant

Versus

Punjab State Civil Supplies Corporation Ltd. and ors.

...Respondents

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. S.K. Arora, Advocate for the appellant.

Ms. Deepali Puri, Advocate for respondent Nos.1 and 2.

AMIT RAWAL, J. (Oral)

The appellant-defendant is aggrieved of the concurrent findings of fact, whereby suit seeking recovery of an amount, has been decreed in the ratio of 50%, 30% and 20%.

Mr. S.K. Arora, learned counsel appearing on behalf of appellant-defendant submits that suit for recovery against the appellant-defendant Inspector Incharge, supporting staff and supervisor was not maintainable as the corporation did not prove the alleged loss. Both the Courts below have gravely erred in decreeing the suit, therefore, substantial question of law arises.

Ms. Deepali Puri, learned counsel appearing on behalf of respondent Nos.1 and 2 submits that umpteen number of evidence on record show the involvement of the aforementioned person in causing the loss and rightly so, suit has been decreed. Even the norms regarding the imposition of the recovery of the amount in the ratio aforementioned was challenged in this Court but appellants did not succeed.

I have heard learned counsel for the parties and appraised the paper book and of the view that there is no substance in the merit of the appeal for the reasons that appellant-defendant has not been able to lead any corroborative evidence to disprove the evidence led by the respondent-plaintiff.

Both the Courts below have concurrently held that appellant-defendant is liable to return the money to the respondent-plaintiff in ratio of 50%, 30% and 20%. Suit of the respondent-plaintiff was based upon shortage which was determined. No evidence has been led in this regard.

In view of what has been observed above, I do not find any illegality and perversity, much less, no substantial question of law arises for determination.

Dismissed.

11.02.2016

pawan

**(AMIT RAWAL)
JUDGE**