

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

RSA No. 1783 of 2013 (O&M)
Date of decision : February 23, 2016

Jagir Singh

..... Appellant

Versus

M/s Hari Singh Joginder Singh Commission Agents

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Kamal Narula , Advocate
for the appellant.

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

Amit Rawal, J (oral).
CM No. 4738-C of 2013

This is an application under Section 151 CPC seeking condonation of delay in refiling the appeal.

For the reasons stated in the application, which is duly supported by an affidavit, delay of 837 days in refiling the appeal is condoned.

The application stands disposed of.

CM No.4739-C of 2013

This is an application under Section 5 of the Limitation Act seeking condonation of delay in filing the appeal.

For the reasons stated in the application, which is duly supported by an affidavit, delay of 300 days in filing the appeal is

condoned.

The application stands disposed of.

RSA No. 1783 of 2013 (O&M)

The appellant-defendant is against concurrent finding of fact whereby the suit for recovery of 68,000/- i.e. ₹50,000/- as principal and ₹18,000/- as interest at the rate of 6% per annum has been decreed.

Learned counsel for the appellant submits that it has been proved that appellant-defendant had been supplying crops to the respondents-plaintiffs. This fact has been proved through the testimony of DW-2 yet the courts below have disbelieved the version, thus, there is illegality and perversity in the impugned orders.

I have heard learned counsel for the appellant and appraised the paper book.

Assuming for an argument sake, that the aforementioned contention is correct, in that eventuality form-J are always issued in favour of the farmer. No such form had been produced on record to show selling of crop, accordingly the suit was filed on the basis of statement of account/bahis. The appellant-defendant has not been able to disprove them.

Keeping in view the aforementioned observations, I do not intend to differ with the finding rendered by both the courts below which is based on appreciation of oral and documentary evidence. I do not find any illegality or perversity in the aforementioned judgments and decrees of the courts below.

No substantial question of law arise for

determination by this Court.

In view of what has been observed above, the appeal is devoid of merits, accordingly, the same is dismissed.

(AMIT RAWAL)
JUDGE

February 23, 2016
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