

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA No.412of 1995(O&M)

Date of Decision: 30.1.2017

Food Corporation of India

... Appellant

Versus

M/s Didar Singh Randev Singh & Company & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. HS Dhandi, Advocate,
for the appellant.

Mr. KR Dhawan, Advocate,
for the respondents.

RAJIV NARAIN RAINA, J.(Oral)

The main case is taken up for final hearing by consent of the parties for disposal on merits.

The FCI has filed this appeal. The only point of friction in this appeal remaining is with regard to Employees' Provident Fund contributions. In the suit for recovery filed by the Corporation, they had a right to raise all the issues and get finding recorded on them upon evidence. The dispute between FCI and the respondent-contractor regarding EPF contributions was raised and the finding was returned by the courts *a quo* that the plaintiff FCI has failed to produce any evidence regarding its claim. Presently, a total amount of ₹30,000/- and odd remains subject matter of this appeal since the lower appellate Court has modified the judgment and decree of the trial Court by scaling down certain claims decreed by the trial court as unjustified. The Court is informed that the execution proceedings have not been taken out by the Corporation.

Having heard learned counsel for the parties, this Court is of

the view that this case involves only pure question of fact which have been determined by the lower appellate court and no substantial question of law is involved in this appeal within the boundaries of Section 100 of the CPC or Section 41 of the Punjab Courts Act, 1918. The appeal hereby stands dismissed.

(RAJIV NARAIN RAINA)
JUDGE

30.01.2017

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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>