

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

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**RSA No.142 of 2017 (O&M)
Date of Decision : 12.12.2017**

Punjab State Warehousing Corporation and another

..... Appellants

Versus

Amarjit Singh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Vikas Bishnoi, Advocate for
Mr. Sumit Jain, Advocate
for the appellants.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the judgment of the appellate Court whereby he reversed the judgment of the trial Court and dismissed the suit on the ground of limitation. This found favour before the appellate Court and he decreed the suit and that is how the appellants are before me.

The facts are that the defalcation which the respondent has alleged to have committed took place during 2000-2001 and the suit was filed on 05.12.2007.

The only argument raised by the learned counsel for the appellants is that the respondent did not take any plea regarding limitation. However, he never deny that the limitation is a specific question of law which can be raised at any time. There is otherwise no denial to the fact that the suit was in fact filed after 7 years.

Consequently no fault can be found with the judgment of the appellate Court.

Appeal is dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

12.12.2017
pooja sharma-I

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No