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RSA-2346-2017 (O&M)

Date of Decision: 19.12.2017

PUNJAB STATE WAREHOUSING CORPORATION

....APPELLANT

VS

TARSEM SINGH

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Karan Singla, Advocate
for the appellant.

AJAY TEWARI, J.(Oral)

This appeal has been filed against the concurrent judgments of the courts below dismissing the suit filed by the appellant. The appellant had sought to impose a recovery against the respondent on the ground that stock which had been stored under his supervision had become damaged due to his negligence. Both the Courts below held that an inspection of the stock has taken place between 28.3.2003 and 31.3.2003 another inspection had taken place between 11.6.2003 and 13.6.2003. In both these inspections no damage was reported. One week after after second inspection the respondent was transferred on 18.6.2003. Fifteen months later, on 9.9.2004 another inspection was carried out and damage was reported. The Courts below held that the damage was recorded on 9.6.2004 could not be linked to the period when the respondent was custodian of the wheat of the stock.

Counsel has not been able to explain how these findings are vitiated.

Consequently, the appeal stands dismissed.

Since the main case has been decided, the pending C.M, if any, also stand disposed of.

19.12.2017
anuradha

(AJAY TEWARI)
JUDGE

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