

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

121

RSA No.3961 of 2017 (O&M)

Date of decision: 18.08.2017

Gurcharan Dass

..... Appellant

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. K.L. Saini, Advocate
for the appellant.

ANIL KSHETARPAL, J. (ORAL)

CM-10045-C-2017

There is a delay of 36 days in filing the appeal.

For the reasons stated in the application, the same is allowed
and the delay of 36 days in filing the appeal is condoned.

RSA No.3961 of 2017

Plaintiff is in Regular Second Appeal against the concurrent
finding of fact arrived at by the Courts below.

Plaintiff claims that he had stood surety for release of
Gurcharan Singh who was convicted in a case to undergo 10 years
imprisonment. The plaintiff stood surety as Gurcharan Singh was to be
released on parole. It is admitted position on record that Gurcharan Singh
did not report back after expiry of period of parole. A notice was issued to
the plaintiff for recovery of the surety amount. Plaintiff submitted a reply.

It is a pleaded case of the plaintiff that he was able to get

Gurcharan Singh arrested subsequently and now Gurcharan Singh is confined to jail.

Plaintiff filed a suit for permanent injunction. The plaintiff did not even challenge the order passed by Deputy Commissioner-cum-District Collector, Patiala for recovery of the bond amount.

Learned counsel for the appellant has very fairly admitted that the order passed by the Collector was appealable.

In view of the aforesaid facts, the present appeal is dismissed. However, the plaintiff would be at liberty to file an appeal before the Competent Authority and seek redressal of his grievances.

18.08.2017
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No