

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

112

CM-11635-C-2017 in/and
RSA-4467-2017
Date of Decision : 30.10.2017

THE HARYANA CO-OPERATIVE SUGAR MILLS LIMITED BHALI
ANANDPUR AND ANOTHER

....APPELLANTS

VS

KRISHNA DEVI AND ANOTHER

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Ms. Chavi Sharma, Advocate
for the applicants-appellants.

AJAY TEWARI, J.(Oral)

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This is an application for condonation of delay of 240 days in refiling the present regular second appeal.

For the reasons recorded in the application, the same is allowed and delay of 240 days in refiling the present regular second appeal is condoned.

MAIN CASE

This appeal has been filed against the concurrent judgments of the Courts below decreeing the suit of the plaintiff-respondents to the effect that the action of the appellants in seeking to make recovery on account of alleged over payments at the time of retirement was illegal.

Both the Courts below relied upon the judgments in the matters of "Chandi Prasad Uniyal and others vs. State of Uttarakhand and others AIR 2012 Supreme Court 2951" and "State of Punjab vs. Rafiq Masih (White Washer)"

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etc. 2015 (2) SCC Civil (608)''.

Counsel for the appellants is not in a position to explain how these judgments have been wrongly applied.

Consequently, the appeal stands dismissed.

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

30.10.2017
anuradha

(AJAY TEWARI)
JUDGE

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