

RSA No.649 of 1994 (O&M)

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

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**RSA No.649 of 1994 (O&M)
Date of Decision : 17.12.2018**

HARI RAJ SINGH

....APPELLANT

V/S

T.C.M. WOLLEN MILLS PRIVATE LTD. AND OTHERS

....RESPONDENTS

CORAM : HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Amit Kohar, Advocate for the appellant.

Mr. Sunil Chadha, Senior Advocate with
Mr. Sharad Mehra, Advocate
for the respondents.

REKHA MITTAL, J. (ORAL)

The present appeal directs challenge against judgment and decree dated 30.08.1993 passed by the Additional District Judge, Ludhiana, whereby the judgment and decree dated 20.08.1986 passed by the Additional Senior Sub Judge, Ludhiana (hereinafter to be referred as 'the trial Court') was partly modified and resultantly, suit of the appellant/plaintiff was decreed against defendant No.1 for recovery of Rs.4,99,000/- alongwith interest @ 6% per annum, on the principal amount of Rs.2,62,619/- from the date of suit till the date of decree and @ 12% per annum on the said principal amount from the date of decree till realization. The suit against defendant Nos.2 and 3 was ordered to be dismissed.

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Counsel for the parties are *ad idem* that the present appeal may be disposed of as per the following terms & conditions:-

- i) The appellant shall be entitle to recover an amount of Rs.4,99,000/- till the filing of suit i.e. March, 1982.
- ii) *Pendente lite* and future interest shall be payable @ 9% per annum on the principal amount of Rs.2,86,000/-.
- iii) All other terms & conditions of the decree shall remain intact.

Disposed of accordingly.

(REKHA MITTAL)
JUDGE

December 17, 2018

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No