

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

121

CM-13143-C-2018 in/and
RSA-1147-2013 (O&M)
Date of Decision : 28.8.2018

Managing Director, Haryana State Cooperative Supply and Marketing
Federation Ltd. and another

....Appellants

vs.

M/s. Ashoka Trading Company Amin Road Kurukshetra, through its
partner

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Sumit Sangwan, Advocate for
Mr. Sharad Chaudhary, Advocate
for the appellant(s).

AJAY TEWARI, J. (Oral)

CM-13143-C-2018

This is an application for restoration of the main appeal.

For the reasons recorded in the application the same is allowed
and the appeal is restored to its original number.

Main Case

This appeal has been filed against the concurrent judgments of
the Courts below partly decreeing a suit filed by the respondent in which the
respondent had sought declaration that the notice dated 17.6.2003 and
further accounts furnished by the appellants were illegal and further for
decree of rendition of accounts and for recovery of amount ultimately found
due.

It is not disputed that the respondent was appointed as Custom Milling Agent and there were large number of transactions between the appellants and the respondent. The claim made by the respondent was for rendition of accounts and the Courts below had passed a preliminary decree in this respect. No prejudice had been caused to the appellant. Once the accounts are presented and reconciled whatever amount is due from one party to the other would be computed.

Learned counsel for the appellants is not in a position to show me what loss has been caused to the appellants by this. Once there are two contracting parties and there are dispute regarding accounts, the fairest thing is that they should sit down and reconcile their accounts.

In the circumstances, the appeal stands dismissed.

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

**28.8.2018
anuradha**

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No