

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA-1946-2013 (O & M)
Date of Decision: 15.12.2018

Neeraj Bakshi

... Appellant

Versus

M/s Venus Garments (India) Ltd. and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rakesh Bhatia, Advocate
for the appellant.

Mr. Rahul Rampal, Advocate
for respondent No.1.

ANIL KSHETARPAL, J.

Defendant No.2, Director of defendant No.1-Company is in regular second appeal against concurrent findings of fact arrived at by the courts below.

Learned counsel for the appellant has submitted that since defendant No.1-Company is a limited company, therefore, no decree could be passed against defendant No.2-appellant in individual capacity.

Learned counsel appearing for respondent No.1 does not dispute the legal position.

Attention of this Court has not been drawn to any special agreement between the parties or to any provision in the Memorandum of Association or Article of Association of defendant No.1-Company making defendant No.2 individually responsible for the debts of defendant No.1-

Company. In these circumstances, the decree against defendant No.2 is set aside whereas decree qua defendant No.1-Company shall remain intact.

Appeal is allowed.

15.12.2018
anju

(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No