

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

**RSA No.1808 of 2017 (O&M)
Date of Decision.14.01.2019**

Haryana State Electronics Development Corporation Ltd.

...Appellant

Vs

Hartron Workstation and others

...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Pankaj Gupta, Advocate
for the appellant.

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AMIT RAWAL J. (ORAL)

To a specific query raised to Mr. Gupta as to how the suit was within limitation as it was filed on 06.03.2007 and the last payment of ₹10,000/- made by the defendant on 04.03.2004, relied upon provisions of Article 1 Part 1 of Limitation Act to allege that there was a mutual open and current account and the limitation would commence from the end of the financial year, which should have been taken as 31.03.2004 and therefore, suit was within limitation but also stated that there was no question of defendants being raising a reciprocal payment.

By accepting the aforementioned argument, the suit would not be falling within the aforementioned provisions and it would be an ordinary suit for recovery and the acknowledgment of last debt was 04.03.2004 whereas the suit was filed on 06.03.2007 and therefore, beyond limitation.

I do not find any illegality and perversity in the judgments and decrees rendered by the Courts below, much less, no

substantial question of law arises for determination by this Court. No ground for interference is made out. Resultantly, the second appeal is dismissed.

(AMIT RAWAL)
JUDGE

January 14, 2019

Pankaj*

Whether Reasoned/Speaking Yes/No

Whether Reportable Yes/No