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

RSA-4666-2019 (O&M)
Date of decision: 21.12.2020

The Punjab State Co-operative Supply & Marketing Federation Limited and
another

...Appellants

Versus

M/s Guru Teg Bahadur Rice and General Mills

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vishal Moudgill, Advocate for the appellants.

Mr. Nitin Jain, Advocate for the respondent.

ANIL KSHETARPAL, J. (ORAL)

CM-13317-C-2019

For the reasons stated in the application, which is duly
supported by an affidavit, delay of 34 days in filing the appeal is condoned.

Application stands disposed of.

Main case

The concurrent judgments passed by the Courts below have
been assailed in this Regular Second Appeal. In fact, two cross suits were
filed which were decided by a common judgment.

The respondent-M/s Guru Teg Bahadur Rice and General Mills,
Jagraon filed a Civil Suit No.210 dated 17.08.2013 seeking declaration that

the order dated 13.06.2013 passed by the Managing Director, Markfed directing the plaintiff to pay a sum of Rs.3,66,903/- towards the cost of rice and Bardana is null and void. Whereas the Punjab State Co-operative Supply & Marketing Federation Limited (Markfed) filed a suit for recovery of Rs.3,66,903/- as per the orders passed by its Managing Director.

Learned trial Court, on appreciation of evidence, decreed the suit filed by the respondent-Firm and dismissed the suit filed by the Markfed. Thereafter, the Markfed filed two appeals which were also dismissed by the learned First Appellate Court vide a common judgment dated 30.05.2019. The Markfed filed two Regular Second Appeals before this Court. One was RSA-4995-2019, which has already been dismissed in limine by a detailed judgment dated 11.02.2020. Thus, the judgment passed by the First Appellate Court has already been upheld by a reasoned judgment.

Keeping in view the aforesaid facts, this appeal is also liable to be dismissed for the detailed reasons recorded in the judgment dated 11.02.2020.

In view thereof, the Regular Second Appeal is dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the above-stated order.

21.12.2020

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No