

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

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**RSA-2431-2018(O&M)
Date of decision: 07.01.2020**

M/s Atul Pipe Corporation

....Appellant

Versus

M/s Libra Tippers and Trailers (Regd.) and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Rajinder Singh Rana, Advocate for the appellant.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-appellant is in the regular second appeal against the judgment passed by learned first appellate court modifying the decree passed by the trial court.

Only relief for which the present appeal has been filed is with respect to quantum of damages to be awarded to the appellant against respondent no.1.

Learned first appellate court has assessed the damages payable @ Rs.5000/- per month for delay in delivery of trucks by respondents no.1 and 2 after fabrication of the body.

Counsel for the appellant admitted that the trucks have already been returned to the appellant and there is no evidence led by the plaintiff-appellant to prove that the damages as assessed by the first appellate court is erroneous or suffer from any perversity.

In view thereof, there is no ground to interfere.

Dismissed.

January 07, 2020

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No