

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

RSA-1598-2021 (O&M)

Date of decision: 23.12.2021

Shipra Overseas India through authorized signatory
.....Appellant

Versus

Sunil Kumar
..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vinay Begra, Advocate for the appellant

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

The defendant, in a suit for recovery of Rs.1,22,850/-, assails the correctness of the concurrent judgments and decrees passed by the courts below.

Some facts are required to be noticed. The plaintiff (respondent herein) filed a suit claiming that he entered into a farming contract with the defendant for growing carrots seeds, which was agreed to be purchased at the rate of Rs.135 per kg. The plaintiff claims that he supplied 4870 kgs of carrot seeds to the defendant against which only an amount of Rs.5,31,600/- was paid whereas remaining payment of Rs.1,22,850/- was never paid. The defendant contested the suit with the assertion that the agreed rate between the parties for purchase of carrot seeds was Rs.110 per kg.

Both the courts, after examining the purchase order dated 07.06.2014, has found merit in the assertion of the plaintiff and

therefore, decreed the suit. Sh. Joginder Sharma, PW4, has been examined to prove the purchase order.

Learned counsel representing the appellant submitted that there are chances of settlement. It has been noticed that the matter has remained pending in the courts below for 7 years. After having lost in both the courts below, the appellant in order to get the notice issued in the appeal, has come up with such a plea.

Learned counsel representing the appellant does not press any other point.

Hence, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

23.12.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE