

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

133

**RSA-165-2021(O&M)
Date of decision:08.04.2021**

M/S STARRCO ENGINEERS AND CONTRACTORS

.....Appellant

Versus

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. R.S. Mamli, Advocate,
for the appellant.

Ms. Kirti Singh, Deputy Advocate General, Haryana.

ANIL KSHETARPAL, J.

The plaintiff-appellant has filed this Regular Second Appeal against the concurrent findings of fact arrived at by the Courts below while dismissing the suit seeking the relief of declaration to the effect that the order dated 24.08.2009, terminating the agreement, is illegal and void.

The petitioner was given a contract to execute the work in Deenbandhu Chootu Ram Thermal Power Project, Yamuna Nagar. The work was to be completed by 15.12.2008, however, the plaintiff-appellant did not complete the work. Therefore, the agreement by which the work was allotted to the plaintiff-appellant ordered to be terminated. The appellant filed a writ petition in the High Court which was disposed of on 01.07.2009, directing the respondents to take a fresh decision. Thereupon, the appellant was granted another opportunity to complete the work till 30.09.2009. Still, the plaintiff-appellant failed to complete the work resulting in passing of a fresh order.

Before the learned trial Court, no documentary evidence was produced by the plaintiff-appellant. Only PW1- Parvinder Singh appeared in evidence being power of attorney of his wife. Both the Court on appreciation of the evidence have found that there was no error in the order terminating the work order in favour of the appellant-company. Both the Courts on appreciation of facts found that the plaintiff-appellant failed to complete the work allotted to it.

Learned counsel representing the appellant, although, made a sincere attempt, however, failed to draw the attention of the Court to any substantive error in the judgments of the Courts below.

Hence, no ground to interfere.

Dismissed.

08.04.2021
Ayub/nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No