

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

R.S.A No. 2444 of 1993(O&M)

Date of Decision:21.10.2022

Punjab Film and News Corporation Limited

.....Appellant

Versus

Harbhajan Singh Phul

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: None for the appellant.

Mr. Sandeep Jain, Addl.AG., Punjab.

Mr. Ravish Bansal, Advocate
for the respondent.

LISA GILL, J(Oral).

None appeared on behalf of the parties on the last date of hearing. Notice was issued to the parties.

Today, Mr. Ravish Bansal, Advocate, appears on behalf of the respondent. Power of attorney on behalf of the respondent filed in Court today is taken on record subject to just exceptions.

As per office report, office of the appellant-Corporation was not found at the given address.

Learned counsel for the State on a query put to him has informed that the appellant-Corporation as of now is not in existence. However, he does not have any information as to whether this Corporation has merged with any other department or not.

Be that as it may, it is noticed that the appellant-Corporation filed a civil suit for recovery of Rs. 12,806.19/- stated to be due from the respondent-department along with interest amounting to Rs. 1910/-. The suit was dismissed by the learned trial Court on 13.05.1987 while holding that the appellant-plaintiff failed to prove its case being unable to produce any convincing or cogent evidence to prove that it is entitled to recover the amount in question.

Appeal filed by the present appellant was dismissed on 16.12.1992 by the learned Additional District Judge, Patiala, as not maintainable on the ground that the appeal was filed by the Managing Director without any resolution authorizing him to file the same with no rule or regulation being pointed out which conferred authority upon the Managing Director to file such an appeal.

Keeping in view the facts and circumstances of the case and the information that the appellant-Corporation as of now is not in existence, this appeal is dismissed. However, liberty is afforded to the successor-in-interest of the appellant-Corporation, if any, to file an appropriate application within four weeks, if so advised.

21.10.2022

s.khan

**[LISA GILL]
Judge**

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.