

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

CR-7488-2019 (O&M)

Date of decision: 26.05.2022

M/s Felcon Chemicals

....Petitioner

Versus

The Bhogpur Cooperative Sugar Mills Ltd, Bhogpur

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vishal Sharma, Advocate for the petitioner
 Mr. Vikas Singh, Advocate for the respondent`

ANIL KSHETARPAL, J (Oral)

The First Appellate Court has condoned the delay of 172 days in filing the first appeal. Learned counsel representing the petitioner contends that the First Appellate Court has erred in considering the merits of the case while deciding the application for condonation of delay. On reading of the order, it is evident that the court has also noticed the explanation furnished by the respondent (appellant before the First Appellate Court) before condoning the delay. The First Appellate Court is the last court of appreciation of evidence. A suit for recovery of Rs.1,52,32,279/- was dismissed. The suit was filed by a public sector undertaking. The tenure of the Board of directors had come to an end. Hence, there was a delay. Consequently, finding no merit, the revision petition is hereby dismissed.

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

26.05.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)
JUDGE**