

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-2111 of 2019 (O&M)
Date of Order: 04.08.2023

Shri Manish Mehra

.Petitioner

Versus

Shri Vivek Sehgal

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Prateek Sodhi, Advocate,
for the petitioner

Mr. Veneet Sharma, Advocate
for the respondent.

ANIL KSHETARPAL, J

1. The correctness of the concurrent findings of fact arrived at by the courts below have been challenged by the plaintiff in this regular second appeal.

2. The plaintiff filed a suit for recovery of Rs.5,50,000/- against his own brother-in-law (his sister's husband). The suit was filed on the basis of a dishonoured cheque. In the proceedings under Section 138 of the Negotiable Instruments Act, 1881 the respondent was convicted. The suit was filed on 13.02.2015, whereas the cheque was dated 20.12.2011, which was dis-honoured on 16.01.2012.

3. Both the courts have held that such suit was filed beyond the prescribed time as the limitation period for filing the suit is 3 years. This court has been informed that even the respondent is no more in the world.

4. The learned counsel representing the petitioner faced with the aforesaid situation, prays for closing the matter.

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

August 04, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: YES/NO

Whether reportable: YES/NO