

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

RSA-6489-2014 (O&M)
Date of Decision :03.05.2024

Rajpal

...Appellant

Versus

Commissioner and Secretary to Government
of Haryana PWD (Public Health) Department
and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. J.P. Sharma, Advocate for the appellant.

Ms. Vibha Tewari, AAG, Haryana.

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Harsimran Singh Sethi, J. (Oral)

In the present regular second appeal, challenge is to judgment and decree of the Courts below by which, the claim of interest on the arrears admissible to the appellant was rejected.

On being asked to point out any perversity in the judgment and decree of the Courts below, learned counsel for the appellant started arguing the case afresh so as to re-appreciate the evidence in order to arrive at a conclusion other than the one arrived by the Courts below.

In a regular second appeal, evidence cannot be re-appreciated to arrive at a different conclusion but only perversity, if any, in the judgment is to be established keeping in view the evidence, which had already come

on record.

Learned counsel for the appellant has not been able to point out any perversity in the findings recorded by the Courts below qua the evidence and facts already recorded in the impugned judgments hence, in the absence of any perversity being pointed out by learned counsel for the appellant, no ground for interference by this Court is made out and present regular second appeal is accordingly dismissed.

Civil miscellaneous application pending, if any, also stands disposed of.

May 03, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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