

GAHC040002852024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : RFA/1/2024

The Oriental Insurance Company Limited
represented by the Divisional Manager, having its office at Tadar Tang Complex, A
Sector Naharlagun, PO and PS Naharlagun, Papumpare District, Arunachal Pradesh
791110

VERSUS

M/s Yomcha Food Products
PO and PS Banderdewa, Papumpare District, Arunachal Pradesh, represented by its
Managing Director Shri Yikar Yomcha

Advocate for the Petitioner : Uttam Deka, Tame Rimi, Chorpok Modi

Advocate for the Respondent : Subu Tapin,

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 26-09-2024

Heard Mr. U. Deka, learned counsel for the appellant and Mr. S. Tapin, learned counsel for the respondent.

2. This appeal is directed against the judgment and decree dated 18.09.2023, passed by the learned Civil Judge (Senior Division), Yupia in

Money Suit No. 207/2013, whereby the learned Senior Judge has decreed an amount of Rs. 65,67,000/-(Rupees sixty five lakh sixty seven thousand only) with the interest @ 6% per annum and Rs.1000/-(Rupees one thousand only) only as a cost of litigation.

3. As the parties have agreed and consented to the effect that rate of interest of 6% per annum be modified to the extent of 10% per annum from 01.01.2013 till full and final realization of the decreed amount of Rs. 65,67,000/-(Rupees sixty five lakh sixty seven thousand only), the present appeal is disposed of by modifying the judgment and decree dated 18.09.2013.

4. Accordingly, the appellant shall pay the decreed amount with the interest @ 10% from 01.01.2013 till full and final realization is made. Decree is modified to the extent indicated above.

5. In view of the agreement and consensus between the parties, it is needless to observed that other grounds taken by the appellant is deemed not pressed.

6. The appeal stands closed and disposed of.

JUDGE