

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

WA.No. 1559 of 2015 IN WP(C).29708/2012

AGAINST THE JUDGMENT IN WP(C) 29708/2012 DATED 16-07-2014

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APPELLANT/PETITIONER :

KISHAN CHAND
S/O. SAWAYARAM, RESIDING AT 467/8, PANIPAT
HARYANA-132 103.

BY ADV. SRI.R.S.KALKURA

RESPONDENTS/RESPONDENTS :

1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY, REVENUE DEPARTMENT
SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. THE DIRECTOR
DIRECTORATE OF STATE LOTTERIES
KERALA STATE LOTTERIES, VIKAS BHAVAN
THIRUVANANTHAPURAM-695 001.
3. ADDITIONAL DIRECTOR GENERAL OF POLICE (CRIMES)
CRIME BRANCH CID HEADQUARTERS, PHQ TOWERS
THIRUVANANTHAPURAM-695 010.

BY SR.GOVERNMENT PLEADER, SRI.P.I. DAVIS.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 11-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

APPELLANT'S EXHIBITS :

ANNEXURE A1 : TRUE COPY OF THE PRESCRIPTION ISSUED TO THE PETITIONER
BY THE SAI RAM NURSING HOME, DATED 04.09.2014.

ANNEXURE A2 : TRUE COPY OF THE BIO-CHEMISTRY TEST-REPORT DATED
03.02.2015 ISSUED BY THE S.R.L. DIAGNOSTICS AND KARTHIK
CLINICAL LABORATORY, PANIPAT.

ANNEXURE A3 : TRUE COPY OF THE BIO-CHEMISTRY TEST-REPORT DATED
26.01.2015, ISSUED BY THE S.R.L. DIAGNOSTICS AND KARTHIK
CLINICAL LABORATORY, PANIPAT.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

ASHOK BHUSHAN, C.J. & A.M. SHAFFIQUE, J.

W.A. No. 1559 OF 2015

Dated this the 11th day of August, 2015

JUDGMENT

Shaffique, J.

Petitioner in W.P.(C) No.29708 of 2012 is the appellant challenging the judgment dated 16.07.2014 to a limited extent by which the learned Single Judge denied the claim for interest on the prize amount covered by Ext.P1 lottery ticket. Learned Single Judge permitted the petitioner to approach the Civil Court, if his claim for interest has been rejected by the Government.

2. Learned counsel for the appellant submits that there is a delay of 2 years in payment of the prize money and therefore the learned Single Judge ought to have directed payment of interest.

Having gone through the judgment of learned Single Judge and after hearing learned counsel for the appellant, we do not think that any interference is required to the judgment of learned Single Judge. Learned Single Judge has reserved the

right of the petitioner to move the civil court for claiming interest if it is rejected by the 1st respondent. There is no error in the said judgment, therefore, we do not find any good ground to interfere with the judgment of learned Single Judge. Accordingly, the Writ Appeal is dismissed.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**