

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

Civil Revision No.3541 of 2013

Date of decision:26.03.2015

Punjab Urban Planning & Development Authority and another.
... Petitioners

versus

Sukhdev Singh Mann Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Ashish Grover, Advocate,
for the petitioners.

Mr. RDS Pandher, Advocate,
for the respondent.

K.Kannan, J. (Oral)

1. The counsel for the petitioners states that they will have no objection about the levy of interest in the manner set down in the order of the court below which is at page 32 of the court file. He only has objection to the interest being compounded. The counsel for the respondent also says that he is not claiming compound interest but would seek for application of differential rates of interest in the manner in which the rules stipulated at relevant points of time.

2. I have examined the order and the rates of interest that were applicable at different points of time. It would appear that the decree-holder has applied compound rate of interest. I hold it to be untenable. I am informed that the execution petition itself is now

dismissed. In the event of the decree-holder filing a fresh petition, the recovery shall be only possible, if, on working simple interest at differential rates of interest that were applicable for various points of time, there is still a deficient amount payable by the petitioner. The order already passed by the court below approving of the calculation made by the decree-holder is set aside. The revision petition is allowed to the extent of finding that the decree holder is entitled only to simple rate of interest and not compound interest.

(K.KANNAN)
JUDGE

26.03.2015
sanjeev