

RSA No.3494 of 2012

Date of Decision: 27.05.2015

New India Assurance Co. Ltd. and others

.....Appellants

Versus

Bharat Bhushan Singhal

..... Respondents

CORAM : HON'BLE MS.JUSTICE RITU BAHRIPresent: Mr. Ashwani Talwar, Advocate
for the appellants.Mr. P.C. Gupta, Advocate
for the respondent.**RITU BAHRI, J. (Oral)**

The appellants-defendants (hereinafter referred to as defendants) come up in this Regular Second Appeal against the judgment dated 10.06.2010 passed by the Additional Civil Judge Senior Division, Hissar, whereby the suit of the plaintiff was decreed and the deduction of Rs.1,85,482/- from the terminal dues of the plaintiff-respondent (hereinafter referred to as plaintiff) was held to be illegal, null and void and the plaintiff was held entitled to this from amount from the defendants along with interest 12% per annum from the date of filing of the suit till its realization. It was further ordered that the aforesaid deductions be recovered from the salary of Dr. A.P. Mittal, Regional Manager. Appeal against the judgment of the trial Court was also dismissed by the judgment dated 07.03.2012 by the District Judge, Hissar.

On 12.05.2015, the counsel for the appellant has restricted the prayer that the judgment of the trial Court be modified to the extent that the deductions be not made from the salary of Dr. A.P. Mittal as he was not a

party to the present suit. No objection has been raised by the opposite counsel to the modification prayed from by the counsel for the appellants.

Learned counsel for the appellants today, after calculating the interest @ 10% per annum on the amount Rs.1,85,482/- has given a cheque of Rs.3,26,906/- to the counsel for the respondent in the Court today.

Accordingly, the RSA is dismissed with the modifications as prayed for i.e. the amount of interest is ordered to be reduced from 12% to 10% and no recovery will be deducted from the salary of Dr. A.P.Mittal.

May 27, 2015
ps-I

(RITU BAHRI)
JUDGE