

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

CR No. 1034 of 2016 (O&M)

Date of decision: February 11, 2016

Indian Oil Corporation Ltd.

...Petitioner

Versus

Gokal Chand and others

...Respondents

ORAM:- HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Ashish Kapoor, Advocate,
for the petitioner.

K. KANNAN, J. (Oral)

1. There is simply no reason for Indian Oil Corporation to arrive before this Court to complain that there is no claim possible for interest on solatium because the award of the lower court does not specifically state so. The award need not state so, for, it is statutory in character as interpreted by the Supreme Court in Sunder Versus Union of India 2001 (2) LJR 856. The mere fact that in an earlier execution the decree-holders had not claimed the interest on solatium cannot make possible for the beneficiary of acquisition to plead that it does not become payable at all so long as full satisfaction has not been recorded. The decree-holders are entitled to make every claim that is legally permissible and which has not been given up in the manner accepted by law. A waiver of solatium is possible only when the decree holder has received a sum without interest on solatium and has also given a full satisfaction memo and recorded as such by the executing court.

2. There is no merit in the revision and it is dismissed accordingly.

February 11, 2016
prem

(K.KANNAN)
JUDGE