

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

Civil Revision No.7448 of 2016 (O&M)
Date of Decision: November 07, 2016

Commander Works Engineers, Bathinda

...Petitioner

Versus

M/s Diplomat Engineer, New Delhi & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

Present: Mr.Pankaj Jain, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

Petitioner-judgment debtor is aggrieved of the impugned order, whereby the Court has ordered them to pay the decretal amount.

Mr.Pankaj Jain, learned counsel for the petitioner submits that the impugned order granting interest on the outstanding amount would be governed by law of dumdupt, which is not permissible. In fact, it tantamounts to interest on interest, therefore, urges this Court for setting-aside of the impugned order.

I have heard the learned counsel for the petitioner, appraised the paper book and of the view that in cases of land acquisition, when the judgment debtor has deposited the amount, doctrine of apportionment is applied and as per that, any payment received would be realised first, then towards payment of interest and then costs and then principal amount.

In view of this situation, I am of the view that the order under challenge is perfectly in accordance with settled law and doctrine and no

interference is wanting. The order cannot be said to be without jurisdiction.

No ground for interference is made out.

Revision petition stands dismissed.

November 07 , 2016
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No