

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-18891-2015 (O&M)
Date of Decision: July 11, 2016

IPF Vikram India Limited

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Naresh Kaushal, Advocate,
for the petitioner.

Mr. Sunil Kumar Sharma, Advocate,
for respondent No. 1.

Mr. Sunil K. Sahore, Advocate,
for respondent Nos. 2 and 4.

Mr. N.D.S. Mann, Addl. AG, Punjab,
for respondent No. 3.

1. *Whether Reporters of local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

SURYA KANT, J. (Oral)

The grievance of the petitioner is against non-payment of compensation of its land acquired by the National Highway Authority of India. The award was passed on 18.5.2010. The compensation was to be released by the Sub Divisional Magistrate, Chamkaur Sahib, with whom the NHAI has deposited the compensation amount.

It is not in dispute that the award was passed on 18.5.2010. The amount of compensation, i.e. Rs. 27,00,000/-, has been paid today in the Court by way of Cheque No. 000051, dated 6.7.2016, drawn at HDFC Bank Ltd. The Sub Divisional Magistrate, Chamkaur Sahib, is present in the Court. She states that delay has occurred for the reason that some fraud was earlier committed by the dealing clerk, namely, Sukhdev Singh, who fraudulently withdrew a sum of rupees one crore and against whom FIR has been lodged.

Be that as it may. Regardless of the genuineness of the reasoning, the petitioner is entitled to interest as its compensation amount has been paid after a considerable delay, which the respondents might have utilized for other purposes. Accordingly, it is directed that the petitioner shall be granted interest at the rate of nine percent per annum with effect from 1.9.2010 till the date of actual realization. The arrears of interest shall be paid within a period of three months of receipt of a certified copy of this order.

The writ petition stands disposed of.

(SURYA KANT)
JUDGE

(DARSHAN SINGH)
JUDGE

July 11, 2016
Pkapoor