

SMT JUSTICE T. RAJANI

M.A.C.M.A. No.899 of 2008

JUDGMENT:

This appeal is preferred by the appellant—APSRTC, who is the respondent before the Court below, assailing the judgment of the District Judge, Ongole in M.V.O.P. No.496 of 2006 dated 11.01.2008 on the ground of rate of interest awarded by the Court below is high.

2. Heard both the counsel.

3. At the hearing, learned Standing Counsel for the appellant does not press the upon the ground regarding the excessiveness of the compensation, though mentioned in the grounds of appeal. He only contends that the rate of interest awarded by the Court below is to be reduced, as it is excessive. The rate of interest awarded by the Court below is only @ 9% per annum, which in the considered opinion of this Court is not excessive. The Court below usually awards interest by considering the prevailing bank rates of interest at the time of deciding the cases. There is no evidence let in by the appellant to say that it was not the rate prevailing at that time.

4. Hence, there being no evidence regarding the bank rate of interest prevailing on the date of award, this Court is helpless to consider the excessiveness of the interest.

5. In view of the above, the appeal is dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

T. RAJANI, J

Date:20.10.2017
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