

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CIVIL MISCELLANEOUS APPEAL No.926 OF 2014

JUDGMENT:

Heard Sri A.Kishore Reddy, learned counsel for the appellant and Sri T.S. Venkata Ramana, learned counsel for the respondent.

The only dispute in the present Appeal is in regard to award of interest from the date of claim petition.

Learned counsel for the appellant has placed reliance in **Thazhathe Purayil Sarabi and others v. Union of India and another¹**, wherein the expression of the Hon'ble Apex Court contained in paragraph-25, read thus:

“25. It is, therefore, clear that the court, while making a decree for payment of money is entitled to grant interest at the current rate of interest or contractual rate as it deems reasonable to be paid on the principal sum adjudged to be payable and/or awarded, from the date of claim or from the date of the order or decree for recovery of the outstanding dues. There is also hardly any room for doubt that interest may be claimed on any amount decreed or awarded for the period during which the money was due and yet remained unpaid to the claimants.”

The learned Standing Counsel for the respondent, of course, though, contended that the delay in conducting trial has been on account of attitude of the claimants, but, however, concedes the request herein in view of the law laid down by the Hon'ble Apex Court in the aforesaid decision.

¹ (2009) 7 SCC 372

Therefore, the present Civil Miscellaneous Appeal is allowed to the extent of awarding interest from the date of claim petition. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions if any pending in the Civil Miscellaneous Appeal shall stand closed.

A.SHANKAR NARAYANA,J

Dt. 20.06.2018
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