

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

101

FAO-4459-2010 (O&M)

Date of Decision : 15.02.2018

PUNJAB STATE CIVIL SUPPLIES CORPORATION LTD. AND ANR.
...APPELLANTS

VS

M/S PUMMY RICE AND GENERAL MILLS AND ORS
...RESPONDENTS

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Ms. Deepali Puri, Advocate
for the appellants.

Mr. R.N. Sharma, Advocate
for the respondents No.1 and 2.

Mr. Binderjit Singh, Advocate
for respondents No.3 to 5.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the order of the Additional District Judge, Chandigarh dated 12.10.2009 whereby he had partly accepted the objections of the respondents while rejecting those of the appellants.

The appellants are not aggrieved against the rejection of their objections but have approached this Court only against the acceptance of the objections of the respondents. The appellants had claimed certain amounts from the respondents on the ground that they had not been able to follow the time-line in the milling contract. Ultimately the Arbitrator found the appellants entitled to damages of Rs.32,000/- and awarded interest @ 21%. As mentioned above, the quantification of damages is final and it is not

agitated before this Court. As regards the interest, the objection of the respondents was that the interest of 21% was excessive. The Additional District Judge held that as far as pre-award interest was concerned, the award of the Arbitrator was justified but the imposition of interest of 21% even after the award was unjustified and after considering the judgment of the Supreme Court in the matter of *Krishna Bhagya Jala Nigam Ltd. vs. G. Harichandra Reddy, 2007(1) Apex Court Judgment 359 (SC)*, reduced the post-award interest to 9%.

Counsel for the appellants is not in a position to argue how this finding is wrong.

Appeal is dismissed. No costs.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

February 15, 2017
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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No