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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA 192/2018 and C.M. Nos.6767/2018 (stay), 6768-69/2018 (for
condonation of delay) & 6770/2018 (exemption)

RAJ KUMAR & ANR Appellants
Through: Mr. Gyanendra Singh, Advocate.

versus

URMILA & ORS Respondents
Through

CORAM:
HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER
% **21.02.2018**

1. After arguments, this appeal is disposed of as not pressed so far as merit of grant of damages is concerned but counsel for the appellants/defendants prays that rate of interest granted in the facts of the present case with respect to damages awarded under the fatal accident be reduced from 9% to 7½% simple. It is argued that grant of pendente lite and future interest is in the discretion of the Court under Section 34 of Code of Civil Procedure, 1908 (CPC).

2. Accordingly, the appeal is disposed of as not pressed and the impugned judgment dated 18.4.2017 in suit no.322/2016 passed by Sh. Ravinder Singh, ADJ (Shahdara), Karkardooma Courts, Delhi in the case

titled as *Smt. Urmila & Ors. Vs. Sh. Raj Kumar & Ors.* is sustained but pendente lite and future interest is reduced to 7½% per annum simple. Appeal is accordingly disposed of as not pressed but with the limited modification with respect to rate of interest.

VALMIKI J. MEHTA, J

FEBRUARY 21, 2018

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