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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ FAO(OS) (COMM) 162/2019 and C.M. No. 31172/2019

THE DEPUTY SECRETARY (HOSPITALS) MINISTRY OF HEALTH AND FAMILY WELFARE

..... Appellant

Through: Mr. Saurabh Mishra, Mr. Vivek Tyagi, Mr. Abhishek Singh and Ms.Aashnaa Bhatia, Advocates.

versus

M/S BHAYANA BUILDERS PVT LTD

..... Respondent

Through: Ms. Manmeet Kaur, Mr. Yashvardhan and Ms. Riya, Advocates.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% **07.11.2019**

Learned counsel for the respondent appears and concedes that no interest could have been calculated on the amount of Rs. 32,74,991/-, which was the amount payable towards TDS, VAT and Building Cess. She submits that the interest was chargeable only on the amount of Rs. 682,028/- on account of belated payment. She has tendered in Court the computation of the interest due as on date. The interest calculated on the said amount of Rs. 682,028/- for the period 01.10.2012 to 19.10.2015 @ 12% per annum comes to Rs. 249,790/-. This amount forms part of the award on which the interest was payable. On the said amount, the interest has been computed for 530 days i.e. from 27.05.2018 (since the date of award was 26.05.2018) to 07.11.2019 i.e. till date @ 12% per annum. The said amount comes to Rs. 43,525/-, which ends up to Rs. 293,315/-.

We have heard learned counsel for the appellant on the said aspect as well. We find that the said computation is correct. Accordingly, we direct the appellant to pay an amount of Rs. 293,315/- to the respondent within a week. If the amount is so paid, no further interest shall be claimed by the respondent.

The appeals stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

SANJEEV NARULA, J

NOVEMBER 07, 2019
N.Khanna