



A.Nos.2007, 2008 & 3318 of 2021 in
E.P.Nos.72 & 73 of 2019

C.V.KARTHIKEYAN,J.

An order of Hon'ble Supreme Court dated 22.10.2021 was placed before me, which is as follows;

"Issue Notice.

The petitioner may deposit the remaining decretal amount before the Executing Court within 6 weeks. However, such amount shall not be disbursed to the respondent during the pendency of the present Special Leave Petitions.

The Executing Court shall transfer the said amount in an interest bearing Fixed Deposit in a Nationalized Bank initially for a period earning maximum interest with auto-renewal facility."

2. It is stated that in accordance with the said direction, the petitioner before the Hon'ble Supreme Court has deposited nearly about Rs.20,72,64,073/- and another sum of Rs.81,06,67,684/-. They have earlier deposited a sum of Rs.7,06,08,912/-. The dispute which now arise is whether this amount should be adjusted towards the interest which had fallen due as on the date of that deposit or towards the principle. The petitioner had apparently adjusted the sum towards the principle and has reduced the principle and thereafter interest has been calculated on the balance of the principle amount. This is objected

**C.V.KARTHIKEYAN.J.,**

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by the decree holder who claims that the said amount should be adjusted towards the outstanding interest, and the principle should remain as a whole and further interest should be calculated on the entire principle amount.

3. In the order of the Hon'ble Supreme Court, it is evident that the matter is under control of the Hon'ble Supreme Court. Both the learned counsels state that they have also mentioned before the Hon'ble Supreme Court and would take up this particular issue before that Court.

4. The pending Applications are closed with liberty to the decree holder and judgment debtor to file applications if any further directions are required. Let the Execution Petition however remain. Let the Execution Petition be listed after four weeks, or whenever, the learned Counsels mention about any directions issued by the Hon'ble Supreme Court.

06.09.2022

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