

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

129

CRR No.1009-2022

Date of Decision: May 16, 2022

Narinder Kumar and another

.....Petitioner(s)

Vs.

Rajinder Singh

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Abhinav Gupta, Advocate for the petitioners.

ANOOP CHITKARA J. (ORAL)

Aggrieved by the imposition of 9 % interest on the cheque amount over and above 15% of compensation payable, the accused has come up before this Court.

The nature of order this Court proposes to pass, no notice is required to be issued to the respondent.

A perusal of the impugned order dated 14.03.2022 passed by Additional Sessions Judge, Ludhiana reveals that apart from depositing of 15% of the cheque amount with District Legal Services Authority, in light of Pronouncement of Hon'ble the Supreme Court in “*Damodar S. Prabhu Vs. Sayad Babalal H. AIR 2010 SC/1097*”, the Court had also ordered that the amount @ 9% on the cheque amount from the date of issuance be also paid to the District Legal Services Authority. The order further reveals that no reasons have been mentioned to arrive at such conclusion. Thus this portion of the order is arbitrary and is not supported by any valid reasons as such deserve to be set aside.

Consequently, in paragraph 4 of the impugned order dated 14.03.2022 the direction to deposit 9% on the cheque amount stands over ruled.

The petition is allowed to the extent mentioned above.

**(ANOOP CHITKARA)
JUDGE**

May 16, 2022

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I attest to the accuracy and
integrity of this document

Whether speaking/reasoned:

Yes/No

Whether reportable:

No