

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

243

CM-13466-C-2019 &
CM-13467-C-2019 in/&
RSA-4719-2019 (O&M)
Date of Decision :22.02.2023

Market Committee, Charkhi Dadri
and others

...Appellants

Versus

Partap Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Padamkant Dwivedi, Advocate for the appellants.

Mr. Deepak Vashishth, Advocate for respondent.

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Harsimran Singh Sethi, J. (Oral)

CM-13466-C-2019

The present application has been filed for condonation of delay of 86 days in filing the present appeal.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay 86 days in filing the present appeal is condoned.

RSA-4719-2019 (O&M)

Learned counsel for the appellant argues that the claim of the appellants on merits was already declined by the Coordinate Bench of this Court vide order dated 05.11.2019 and only question with regard to the grant of interest @ 18% per annum by the trial Court is needed to be reconsidered.

Learned counsel for the appellants submits that by the said

order, payment of interest beyond the rate of 7% per annum was stayed.

Learned counsel for the respondent submits that as per his instructions, the respondent-plaintiff will not claim interest beyond the rate of 7% per annum and the judgement and decree of the Court below granting interest @ 18% per annum may kindly be modified to the said extent.

Keeping in view the above, judgment and decree of Courts below qua the grant of interest is modified to the extent that respondent is entitled for interest @ 7% per annum instead of @18 % per annum.

Present regular second appeal stands disposed of accordingly.

CM-13467-C-2019

Application is also disposed of .

February 22, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No