

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVISION No.1 of 2025

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Bharat Sanchar Nigam Ltd. through its Assistant General Manager (Legal),
Bihar Circle, Budh Marg, Patna

... .. Petitioner/s

Versus

1. Satyendra Sharan Sinha, S/o Late P.S. Sinha, resident of Mohalla-Jawahar Nagar, Jainath Pati Path, P.S.-Nawada, District-Nawada.
2. Nita Sharan Sinha, Daughter of Late P.S. Sinha, resident of Mohalla-Jawahar Nagar, Jainath Pati Path, P.S.-Nawada, District-Nawada.
3. Suman Lata Verma, D/o Late P.S. Sinha, resident of Mohalla-Jawahar Nagar, Jainath Pati Path, P.S.-Nawada, District-Nawada.
4. Madhup Sharan Sinha, S/o Late P.S. Sinha, resident of Mohalla-Jawahar Nagar, Jainath Pati Path, P.S.-Nawada, District-Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Archana Sahi, Sr. Advocate with Mr. Alok Kumar @ Alok Kr Shahi, Advocate Mr. Shubham Shankar, Advocate
For the Respondent/s	:	Mr. Arun Kumar Sinha, Advocate Mr. Ashutosh Krishna, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

6 01-07-2025 Heard learned counsel for the parties.

2. This revision application has been filed against the order dated 10.07.2024 passed in Execution Case No. 01 of 1995 by the learned Additional District Judge-1st, Nawada whereby Rs. 49,99,999/- was ordered to be paid to the decree holder with the consent of the learned counsel for the parties.

3. The main contention of learned senior counsel for the petitioner is that the learned court below has passed the order on the basis of oral submission of learned counsel for the BSNL without any instruction of the petitioner (judgment



debtor) and recorded that BSNL is ready to pay Rs.50 lakhs as interest for full and final settlement but if only Rs.1/- less than Rs.50 lakhs is ordered to be paid, BSNL would be in better position to get the order of the Court complied.

4. Learned senior counsel further submits that the counsel for the petitioner was not instructed to give consent for payment of aforesaid amount. Moreover, the interest on the award amount calculated by the decree holder is erroneous and excessive.

5. In view of the objections of the petitioner, learned court below was directed to recalculate the statutory interest on the award amount vide order dated 25.04.2025 passed in the present case.

6. In view of order dated 25.04.2025, learned District Judge-1, Nawada has submitted his calculation report with regard to awarded amount from 20.07.1994 to 14.05.2025.

7. Perused the calculation report submitted by the learned District Judge-1, Nawada which is on record.

8. In his report, the learned District Judge-1, Nawada has calculated the total amount as per the statutory interest which comes to Rs. 63,96,010/-, out of which Rs. 18,17,450/- was already paid by the petitioner and rest amount Rs.



45,78,560/- has to be paid by the petitioner. As per the calculation report dated 14.05.2025, the interest of the award money has to be paid till the realization of amount.

9. A copy of the said report/calculation done by the learned District Judge-1, Nawada was provided to both the sides.

10. Against the said report/calculation, an additional supplementary affidavit has been filed by the petitioner and submitted that the calculation done by the learned District Judge-1 is not correct. Learned counsel for the petitioner submits that on 10.10.1996, Rs. 5,45,235/- was paid to the opposite parties and further on 07.03.2011, balance award of Rs. 12,72,215/- with interest was paid to the opposite parties. It is further submitted that on the said payment, the interest may not be calculated. As per the calculation made by the petitioner till 06.03.2011, the total amount of interest comes to Rs. 24,70,289/- only.

11. As per the calculation report, the interest @ 15 % per annum from 20.07.1994 to 31.07.1994, from 01.08.1994 to 31.12.1994, from 01.01.1995 to 31.12.2024 and from 01.01.2025 to 14.05.2025 are Rs. 4,477/-, Rs, 61,902/-, Rs. 44,56,962/- and Rs. 55,219/- respectively, on principal balance



amount and total amount comes to Rs. 45,78,560/- which is correctly calculated.

12. Considering the aforesaid facts as well as the report submitted by the learned District Judge-1, Nawada, the petitioner is directed to pay the amount of Rs. 45,78,560/- to the opposite parties within 60 days from today. It is made clear that the interest should be calculated till the date of final realisation of awarded amount.

13. The stay of further proceeding of Execution Case No. 1 of 1995 pending in the court of learned Additional District Judge, 1st Nawada granted *vide* order dated 16.05.2025 stands vacated.

14. Accordingly, the instant civil revision application is dismissed, having no merit in it.

(Khatim Reza, J)

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