



220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-4973-2012 (O&M)

Date of decision : 05.03.2025

Gajjan Singh and others

...Appellants

Vs.

Bhinder Sales Corporation

...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. H.P.S. Ghuman, Advocate
for the appellants.

Mr. H.S. Sandhu, Advocate
for the respondent.

ANIL KSHETARPAL, J. (Oral)

1. The total dispute involved in the present case is with regard to the rate of interest payable on the amount of Rs.7,00,000/- which was paid by the respondent at the time of execution of the agreement to sell on 15.06.2001.

2. The trial Court granted alternative relief of refund of earnest money of Rs.7,00,000/- alongwith interest @ 12% from the date of agreement to sell which in appeal was affirmed by the Appellate Court.

3. During the pendency of the suit, the appellant has paid Rs.11,50,000/- to the plaintiff (respondent herein).

4. Learned counsel representing the appellants submits that interest prior to the date of filing of the suit could not be granted. The suit was filed in the year 2005.

5. Keeping in view the aforesaid facts, it is ordered that the amount of interest @ 12% per annum shall be calculated from the date the suit was

instituted.

6. With this modification, the appeal is disposed of.
7. All the pending miscellaneous applications, if any, are also disposed of.

05.03.2025
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No