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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CM(M) 33/2025**

FAKHRUDDIN MEMORIAL CGHS LTDPetitioner

Through: Ms.Rangoli Seth and Ms. Sanjleena
Lal, Advs.

versus

M/S JIA LAL KISHORI LAL PVT LTDRespondent

Through: Mr. D. Moitra, Adv.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

16.01.2025

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CM APPL. 1365/2025 (Exemption)

Allowed, subject to all just exceptions.

The application stands disposed of.

CM(M) 33/2025 & CM APPL. 1364/2025 (Stay)

1. The learned counsel appearing for the respondent admits under instructions that in terms of Section 31(7)(b), interest is payable @ 2% higher than the current rate of interest prevalent on the date of award to the date of payment, and therefore, has no objection if the impugned order dated 13.12.2024 is duly modified to the aforesaid extent.
2. In view of statutory position and principles laid down by this Court in the case of National Council Of Education Research and Training vs M/s. Skywing Carriers Pvt. Ltd. 2019 SCC Online 10094, with the consent of the respondent, the order dated 13.12.2024 passed by the Executing Court is



modified to the extent that decree holder would be entitled to the post-award interest @ 2% higher than the current rate of interest prevalent on the date of award to the date of payment.

3. The Executing Court would determine the current rate of interest as provided in explanation to Section 31(7)(b) and pass the order accordingly.
4. The petition is disposed of in terms of the above.

RAVINDER DUDEJA, J

JANUARY 16, 2025/sky