

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 10525/2012

(Arising out of impugned final judgment and order dated 15-02-2012 in CRP No. 3009/2008 passed by the High Court Of Judicature At Madras)

GIRIJA & ANR.

Petitioner(s)

VERSUS

V.R.BALAKRISHNAN(D) THR LRS

Respondent(s)

Date : 22-03-2018 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE DEEPAK GUPTAFor Petitioner(s) Mr. K. K. Mani, AOR
Ms. T. Archana, Adv.
Mr. Abhishek Krishna, Adv.For Respondent(s) Mr. S. Rajappa, AOR
Mr. V. Prabhakar, Adv.
Mr. R. Chandrachud, AOR
Ms. Jyoti Parasher, Adv.
Mr. N.J. Ramchandrar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the parties and have gone through the judgment and order passed by the High Court.

There are conflicting claims with regard to the ownership of the property in dispute. Since the respondents have been in possession of the property since 1989, the matter was referred to mediation but the matter could not be settled through mediation.

Now, in our opinion, it would be appropriate and equitable if

an amount of Rs.5 lacs is paid by the respondents to the petitioners towards a full and final settlement of the issues between the parties in addition to costs of Rs.1,25,000/- that has already been ordered to be paid.

We have been given to understand that the amount of Rs.1,25,000/- was deposited in the Trial Court. Since the petitioners have declined to accept that amount, the amount, we are sure, must have been kept by the Trial Court and earned interest during this period. Therefore, Rs.1,25,000/- along with interest should be released to the petitioners.

The balance amount of Rs.5 lacs towards full and final settlement between the parties should be deposited in the Trial Court within a period of 8 weeks from today. The petitioners may thereafter withdraw that amount. In case the amount is not deposited within a period of 8 weeks from today, the respondents will pay interest at 12% per annum from the date of decree.

In view of the above directions, the proceedings between the parties are closed.

The special leave petition is disposed of.

Pending applications are disposed of.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER