

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 1208-1209 OF 2004

DEBABRATHA GUHA

Appellant (s)

VERSUS

M/S. GURDEV SINGH & SONS

Respondent(s)

Date: 09/09/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU  
HON'BLE MR. JUSTICE T.S. THAKUR

For Appellant(s)

Mr. K.R. Sasiprabhu, Adv.

For Respondent(s)

Mr. Sanjay Goswami, Adv.  
Mr. H.K. Balajee, Adv.  
Mr. Brajesh Pandey, Adv.  
Mr. A.S. Bhasme, Adv.

UPON hearing counsel the Court made the following  
O R D E R

The Appeals are disposed of. No costs.

( Rajesh Dham )  
Court Master

( Indu Satija )  
Court Master

(signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 1208-1209 OF 2004

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O R D E R

Heard the learned counsel for the parties.

These Appeals, by special leave, have been filed against the impugned judgment of the High Court of Delhi dated 02.04.2003.

On the facts of the case, we are not inclined to interfere with the impugned judgment of the High Court.

However, we reduce the rate of interest from 18% per annum to 9% per annum. The amount already deposited by the appellant before the executing court will be disbursed to

the respondent forthwith. The deficit amount will be paid

by the appellant to the respondent within two months from

today. It is further directed that if the appellant fails

:1:

:2:

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to pay the deficit amount to the respondent within two months from today, the rate of interest will go back to 18% per annum.

With these modifications, the impugned judgment of the High Court is upheld. The Appeals are disposed of accordingly. No costs.

.....J.  
(MARKANDEY KATJU)

.....J.  
(T.S. THAKUR)

NEW DELHI  
SEPTEMBER 09, 2010.