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SLP(C)No.13971-13972/2000
ITEM No.208

Court No. 8

SECTION XVII
A/N MATTER

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 (Civil) No.13971-13972/2000

(From the judgement and order dated 29/03/2000 and 17/4/2000 in
MA 302/98 & CR 277/99 of The HIGH COURT OF PATNA)

UNION OF INDIA & ORS.

Petitioner (s)

VERSUS

LAXMI NARAIN SINHA
(With prayer for interim relief)
(For Final Disposal)

Respondent (s)

Date : 19/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.P. MISRA
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s) Mr. Altaf Ahmed,ASG.
Mr. Rajiv Nanda,Adv.
Mr. P. Parmeswaran,Adv.
Mr. Ravi Ranjan,Adv.

For Respondent (s) Mr. S.B. Upadhyay,Adv.

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

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Leave granted.
The interim order is made absolute in terms of signed
order.

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Sarita (V.P. Tyagi) @@
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COURT MASTER@@
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(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Union of India & Ors. ... Appellants

Versus

Laxmi Narain Sinha ... Respondent

O R D E R@@
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Leave granted.

According to the learned counsel appearing for the Union of India, in pursuance of the order of this Court the balance amount payable, namely, interest on the principal amount of Rs.4,50,000/- from 21st March, 1976 to 8th April, 1998 amounts to Rs.11,90,000.72 with costs of Rs.5,916/- has been deposited in the executing court and hence the decree stands fully satisfied. This fact is disputed by the respondent.

The admitted position is that interest calculated and deposited is that of simple interest while respondent claims it should be compound interest. This is a matter in issue which is yet to be decided.

However, learned counsel for the respondent further submits, as per instructions even the said deposits fall short even if calculated in terms of simple interest to the extent of Rs.1,65,430/- to which the other side disputes. It is not necessary for us to go into this question. The respondent may raise this question before the executing court about the shortfall, if any. Any amount deposited by the appellant may be withdrawn by the respondent. In view of this deposit the interim order is made absolute.

.....J.
(A.P. Misra)

New Delhi.
January 19, 2001

.....J.
(B.N. Agrawal)