

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). 4873 OF 1999

NEW OKHLA INDUSTRIAL DEVT.AUTHORITY .

Appellant (s)

VERSUS

A.K. KHANNA & ANR.

Respondent(s)

Date: 23/03/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH
HON'BLE MR. JUSTICE ALTAMAS KABIR

For Appellant(s)

Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Ravindra Kumar, Adv.
Mr. Saad Shervani, Adv.

For Respondent(s)

Mrs.B.Sunita Rao,Adv.
Mr. Sushil Kumar Pathak, Adv.

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

Heard learned counsel for the parties.

The appeal is disposed of in terms of the signed
order placed on the file.

(A.D. Sharma)
Court Master

(Vijay Dhawan)
Court Master

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

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Appellant

(s)

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(s)

O R D E R

We have heard learned counsel for the parties and having considered all aspects of the matter we thought this was pre-eminently a dispute which the parties should be able to settle amicably. Learned counsel for the appellant submits that without prejudice to his contentions, if this Court considers it appropriate in the facts of this case to compensate the respondent to some extent ex-gratia, the appellant shall have no objection in doing so provided the judgment of the M.R.T.P. Commission is not treated as a precedent.

We suggested to the respondent to respond to the fair offer made by the appellant and the respondent has also left the matter to us.

-2-

In these circumstances, we modify the order of the M.R.T.P. Commission by directing that instead of pay interest at the rate of 17 per cent per annum the appellant shall pay interest at the rate of 6 per cent per annum. The amount shall be paid by the appellant to the respondent within six weeks from today. This will not be treated as a precedent, and the question involved is left open to be considered in an appropriate case if the occasion arises in future.

The appeal is disposed of in the above terms.

There shall be no order as to costs.

.....J.

(B.P.SINGH)

.....J.

(ALTAMAS KABIR)

NEW DELHI ;

MARCH 23,2006