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SLP(C)No. 18530 OF 2000
ITEM No.205

Court No. 7

SECTION XIV
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Civil) No.18530/2000

(From the judgement and order dated 10/07/2000 in LPA 135/99
of The HIGH COURT OF DELHI AT N. DELHI)

K. DIGAMBAR SINGH

Petitioner (s)

VERSUS

DELHI DEVELOPMENT AUTHORITY & ANR.
(For Final Disposal)

Respondent (s)

Date : 17/08/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU
HON'BLE MR. JUSTICE DORAISWAMY RAJU

For Petitioner (s) Mr. Satyapal Khushal Chand Pasi,Adv.

For Respondent (s) Mr. V.B. Saharya, Adv.
M/s Saharya & Co.,Adv.

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

.....L.....I.....J
.SP2

Leave granted.
Appeal is partly allowed in the terms as stated
in the signed order.

.SP1

(Meenu Sethi)
Court Master

(Om Prakash)
Court Master

Signed order is placed on the file

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5533 OF 2001@@
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(Arising out of Special leave petition(C) No.18530 of 2000)

Col. K. Digambar Singh .. Appellant

Vs.

Delhi Development Authority & Anr. .. Respondents

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.....L.....I.....T.....T.....T.....T.....T.....J.....
.SP2

Leave granted.

In this matter the question raised is one relating to allotment of a flat by the respondent and the payments to be made in respect of the same. It appears that certain dispute having been arisen, the matter reached the High Court and the High court directed the respondent (Col. K. Digambar Singh - appellant before us) to pay a sum of Rs.8,23,000/- to the respondents (Delhi Development Authority) within a period of 30 days from August 9, 2000 and at the same time directed that the interest shall be paid at different rates for different period as follows:

.SP1

- (1) w.e.f. 1.5.97 to 31.5.97 - @ 12% per annum.
- (2) w.e.f 1.6.97 till date of payment- @ 18% per annum

.SP2

On an overall consideration of the matter, we think that it is not appropriate for the High Court to have awarded any higher rate of interest from 1.6.1997. The interest for the entire period should be at a flat rate of 12% per annum. Hence, in this respect the order made by the High Court is modified.

-2-

In other respects the order made by the High Court is maintained. The appellant shall deposit the amount within three months from today. The appeal is partly allowed in the aforesaid terms.

.SP1

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[S. RAJENDRA BABU]@@
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[DORAISWAMY RAJU]

New Delhi,@@
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August 17, 2001.