

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

CC 354

Petition(s) for Special Leave to Appeal(Civil).../2001  
(From the judgement and order dated 31/08/1999 in LAA 1141/98  
of The HIGH COURT OF KERALA AT ERNAKULAM)

STATE OF KERALA

Petitioner (s)

VERSUS

M.B. AJITH MOOPAN  
( With I.A. 1 for c/delay in filing SLP )

Respondent (s)

Date : 29/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS  
HON'BLE MR. JUSTICE DORAISWAMY RAJU

For Petitioner (s)

Mr. K.M.K. Nair,Adv.

For Respondent (s)

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

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Delay condoned.

Learned counsel contends that interest on solatium that has been granted is pending for consideration in this court. The only grievance of the petitioner is that the High Court has disallowed interest on solatium. Learned counsel submits that the question whether interest on solatium can be granted is now pending before the Constitution Bench of this Court. We do not think that it would be worthwhile to grant special leave in this case solely on the ground that a question of law on that aspect is pending before a Constitution Bench of this Court.

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In case the Constitution Bench upholds the contention that interest on solatium is to be granted we permit the petitioner to move the High Court to amend the judgment and decree for carrying out the legal position declared by the Constitution Bench in that regard. If any such motion is made for amendment after the Constitution Bench renders the decision the High Court will pass appropriate orders to make the judgment in tune with the law so declared by the Court. This rider is enough to safeguard the interests of the petitioner. With the above

