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SLP(C)No. 22541 OF 2004

ITEM No.37

Court No. 7

SECTION X
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.22541/2004.

(From the judgement and order dated 15/05/2004 in AO 377/01
of The HIGH COURT OF UTTARANCHAL AT NAINITAL)

SHIV SHARMA TRIPATHI & ORS.

Petitioner (s)

VERSUS

PREM SINGH & ANR.

Respondent (s)

(With Office Report)

Date : 11/03/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. VENKATARAMA REDDI
HON'BLE MR. JUSTICE A.K. MATHUR

For Petitioner (s)Mr. Chandra Prakash Pandey,Adv.

For Respondent No.1Mr. Amit Goel, Adv.
Dr. Kailash Chand, Adv.

No.2Mr. Joy Basu, Adv.
Mr. Rahul Tyagi, Adv.
Ms. Hetu Arora, Adv.

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

Leave granted.

The Civil Appeal is disposed of in terms of the Signed Order.

(Subhash Chander) (Pushap Lata Bhardwaj)
Court Master Court Master

[Signed Order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1700 OF 2005
[Arising out of S.L.P.(C)No.22541 of 2004]

Shiv Sharma Tripathi & Ors.....Appellants

Versus

Prem Singh & Anr.....Respondents

O R D E R

Leave granted.

We issued notice in regard to the quantum of interest. The High Court, while enhancing the compensation from Rs.1,95,500/- (Rupees One Lakh Ninety Five Thousand Five Hundred) to Rs.3,00,000/- (Rupees Three Lakhs), has not specified the amount of interest payable. On hearing the counsel for the parties, we consider it just and proper to modify the impugned judgment of the High Court by directing that on the enhanced amount of Rs.1,04,500/-, interest at the rate of 9% per annum has to be paid from the date of the award of the Tribunal. In regard to the compensation of Rs.1,95,000/- awarded by the Tribunal, the rate of interest at 15% will stand. The appeal is disposed of accordingly.

Sd/-

.....J.
[P. VENKATARAMA REDDI]

Sd/-

New Delhi.....J.
March 11, 2005.[A.K. MATHUR]