

**SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS**

CIVIL APPEAL NO(s). 7290-7293 OF 2002

BHOPAL VIKAS PRADHIKARAN

Appellant (s)

VERSUS

SANGEET SHUKLA & ORS.

Respondent(s)

Date: 28/01/2009 These Appeals were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE R.M. LODHA**

**For Appellant(s) Mr. Naveen R. Nath, Adv.
Ms. Lalit Mohini Bhat, Adv.
Ms. Anitha Abraham, Adv.**

**For Respondent(s) Mr. Puneet Jain, Adv.
Mr. S.K. Jain, Adv.
Ms. Archana Tiwari, Adv.
Mr. A.V. Kotemath, Adv.
Ms. Pratibha Jain, Adv.**

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

**The appeals are disposed of but without any order as to
costs.**

**[Usha Bhardwaj]
Court Master**

**[Vijay Dhawan]
Court Master**

Signed order is placed on the file.

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL No.7290-7293 of 2002

Bhopal Vikas Pradhikaran

....Appellant(s)

Versus

Sangeet Shukla & Ors.

.....Respondent(s)

ORDER

1. The only controversy is regarding the amount on which the interest will have to be now paid, in terms of the order passed by the District Forum, as confirmed by the State and National Forum. It is clarified that under Clause-I of the relief order passed by the District Forum what was awarded was the interest on Rs.3,85,000/-, that is, the amount paid by the consumer for the plot or flat, as the case may be, which did not come into his or her possession. It is now obvious that the possession of the plot has already been given by the appellant to the respondent. The District Forum had ordered the interest to be paid on that amount up to the date when the possession was given. The dates of course in these four matters are different. It was, however, provided by Clause-2 of the order that if the amount of interest so calculated on the amounts paid by the complainant is not paid within three months then the appellant will be liable to pay further

..2/-

:2:

interest at the rate of 12% per annum. The question was on which amount the

said interest would be payable. It is clarified that the further interest would be payable only on the amount of unpaid interest which has been quantified in Clause-1 of the order and not on the whole amount paid by the complainant to the appellant herein. Further it would be simple interest.

2. With these clarifications, we dispose of the appeals but without any order as to costs.

.....J.
[V.S. SIRPURKAR]

.....J.
[LODHA]
NEW DELHI,
JANUARY 28, 2009.

[R.M.]

