

CASE NO. :

Appeal (civil) 5499 of 1999

Appeal (civil) 5500 of 1999

PETITIONER:

DELHI DEVELOPMENT AUTHORITY

Vs.

RESPONDENT:

THE OFFICIAL LIQUIDATOR, HIGH COURT, CALCUTTA

DATE OF JUDGMENT: 04/04/2001

BENCH :

V.N. Khare & S.N. Variava

JUDGMENT :

S.N. VARIAVA

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On March 01, 2001, these Civil Appeals were heard at@@
 length and the Court was about to dictate judgment. Counsel
 for Respondent No.2 then requested for an adjournment in
 order to consider a settlement. These Appeals were,
 therefore, adjourned.

[illegible]

Calcutta High Court with regard to payment of unearned increase to the Appellant herein. He states that without prejudice to that Application the 2nd Respondent shall pay to the Appellant a sum of Rs.75,27,893/- towards unearned increase. He states that such payment will be made within eight weeks from today. He requests that on such payment being made the Appellant be directed to grant permission as per the terms of the Agreement to Lease dated April 09, 1956 and treat the sale by Official Liquidator to the 2nd respondent as valid.

As stated above, we have heard the parties at length. In our opinion the following order shall suffice:

"The 2nd Respondent shall pay to the Appellant a sum of Rs.75,27,893/- within a period of eight weeks from today. The said sum shall be accepted by the Appellant as full and final payment of their claim for unearned increase. In the peculiar circumstances of these cases the Appellant is directed not to charge any penalty or interest in this case.

[illegible]

With these directions, both the Appeals stand disposed of with no order as to costs.