

(2009) 01 SC CK 0199

In the Supreme Court Of India

Case No : Civil Appeal No's. 8411-8412 of 2002

Bhopal Development Authority

APPELLANT

Vs

Prakash Chand Jain

RESPONDENT

Date of Decision : 28-01-2009

Acts Referred:

Citation : (2009) 01 SC CK 0199

Hon'ble Judges : V. S. Sirpurkar, J;R. M. Lodha, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

1. We have heard learned Counsel for the appellant as well as the respondent.
2. In the circumstances of the case, we are of the clear opinion that the interest at the rate of 18% would not be a fair rate of interest. As has been held in other cases instead the interest at the rate of 12% would be the correct interest. We, therefore, put the parties back to the position as was arrived at by the order passed by the District Consumer Disputes Forum. Therefore, the amount of interest will be calculated on Rs. 4,65,938/- between the two dates i.e. 18th June, 1994 to 27th February, 1997. The interest so calculated on the principal amount of Rs. 4,65,938/- was made payable by the District Forum within three months. In default, it is clarified that the further interest will be charged on that amount of unpaid interest and the interest shall be calculated accordingly. It shall be simple interest.
3. With these modifications, we dispose of the appeals but without any order as to costs.