

(1895) 01 MAD CK 0002
In the Madras High Court

Krishna Reddy and Another

APPELLANT

Vs

Rendankattalai Varadarajulu Reddy and Others

RESPONDENT

Date of Decision : 11-01-1895

Acts Referred:

Citation : (1895) 5 MLJ 154

Judgement

1. Although no contract for post diem interest can be inferred from Exhibit A, we think interest from 30th December 1884 can be given under the

Interest Act XXXII of 1829 under the principle laid down in Bikramjit Tewari v. Ducag Dyal Tewari ILR (1893) C. 274 which case has been

followed by this Court in Second Appeal No. 1546 of 1893. We will therefore allow Rs 696 as interest at 6 per cent, per annum from the due

date to the date of plaint and make it a charge upon the mortgaged property.

2. The decree of the learned Judge will therefore be modified by adding this sum to the principal sum adjudged and decreeing Rs. 2,598 instead of

Rs. 1,902 with costs and further interest at 6 per cent, per annum. The appellants are entitled to proportionate costs on this appeal.