

(2013) 11 P&H CK 0165
In the Punjab And Haryana At Chandigarh
Case No : CR No. 3647 of 2012 (O and M)

Umed Singh and Others

APPELLANT

Vs

State of Haryana and Another

RESPONDENT

Date of Decision : 29-11-2013

Acts Referred:

Citation : (2013) 11 P&H CK 0165

Hon'ble Judges : K. Kannan, J

Bench : Single Bench

Advocate : Kulbhushan Sharma, for the Appellant;

Final Decision : Allowed

Judgement

K. Kannan, J.—The only point that falls for consideration is, whether the State which deposited the amount covered under the award would be spared of a claim for interest from the date of deposit. The point has been addressed by the decision in Rajasthan State Road Transport Corporation, Jaipur Vs. Smt. Poonam Pahwa and others, , referring to the mandatory provisions of Order 21 Rule 1(2) of CPC that enjoins a judgment debtor to give notice of deposit in court, if the amount is not directly paid to the decree-holder. If the decree-holder had no notice of the deposit, then the decree-holder is entitled to claim interest also for the period when the amount was deposited till the date when the decree holder was made aware of the deposit or through express notice. The order impugned is set aside and the decree holders are entitled to recover interest for the period upto the date when the payment is made. The revision is allowed in the above terms.