

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No. 22901/2017

(Arising out of impugned final judgment and order dated 29-03-2017 in RSA No. 5421/2016 passed by the High Court of Punjab & Haryana at Chandigarh)

RAMESH KUMAR KAPUR & ANR.

Petitioner(s)

VERSUS

TARA SINGH BAJAJ (DECEASED) THROUGH LRS & ORS.

Respondent(s)

Date : 16-01-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s)

Mr. Sharan Thakur, Adv.

Mr. Vijay Kumar, Adv.

Mr. Parashuram, Adv.

Dr. Sushil Balwada, AOR

For Respondent(s)

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

The suit for specific performance filed by the respondent was decreed by the trial Court and the said decree stands affirmed by the first Appellate Court as well as by the High Court in the second appeal. We do not find any reason to interfere with the decree so passed.

It is, however, stated by the learned counsel for the petitioner that the agreement to sell was executed 13 years ago. Full sale consideration was also not paid and in the meantime, the circle rate of properties has doubled. He

submits that no interest is awarded on the amount which remains with the respondent.

In the peculiar facts of this case, we permit the petitioner to approach the High Court with an application for grant of interest and/or compensation.

We make it clear that this Court has not made any observation on the merits of such a claim of the petitioner and it would be for the High Court to take a call thereon. If the application is moved in two weeks, the same shall be decided on its own merits.

The special leave petition is dismissed.

(NIDHI AHUJA)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER