

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO.1586 OF 2019  
(Arising out of SLP(C) No.8 of 2019)**

**JITENDRA KUMAR KARSANDAS VED & ORS.**

**APPELLANT(s)**

**VERSUS**

**UNION OF INDIA & ORS.**

**RESPONDENT(s)**

**O R D E R**

Leave granted.

This appeal arises from an order of the National Consumer Disputes Redressal Commission ("NCDRC") dated 23 October 2018.

The appellants opened four accounts under the Monthly Income Scheme (MIS) of the Postal Department at the Head Post Office, Godhara. Under the Post Office (Monthly Income Account) Rules, 1987, interest was payable monthly, at the rate of 8% per annum. The details of the four accounts were as follows:

Sr.No.	Category	Date of Opening	A/c No.	Amount of Deposit (Rs.)
1.	MIS	29.01.09	2110542	2,20,500
2.	MIS	09.04.09	2110658	1,08,000
3.	MIS	03.09.10	2112350	1,00,500
4.	MIS	20.11.10	2112578	51,000

On 25 January 2012, the amount was unauthorizedly withdrawn by a third party. An amount of Rs 4,73,325 was withdrawn from the MIS Accounts of the appellants and deposited in a Savings Bank Account and was further withdrawn. The report of the handwriting expert indicated that the signature against which withdrawal took place was not that of the appellants, the original complainants.

The appellants moved the District Consumer Disputes Redressal Forum, Godhara complaining of a deficiency of service under the Consumer Protection Act, 1986. The District Forum allowed the complaint and directed a refund of an amount of Rs 4,80,000 to the appellants on maturity, with 15% interest from 28 February 2012 until realization. However, the District Forum directed that if the amount is paid within sixty days from the date of the order, the interest shall stand reduced to 9% from 28 February 2012 until realization. Incidental costs were awarded.

In appeal, the State Consumer Disputes Redressal Commission modified the order of the District Forum, to the extent that refund of Rs.4,80,000 was directed together with interest at 6% per annum from 28 February 2012 until realization. This order of the State Consumer

Disputes Redressal Commission has been upheld by the NCDRC in revision.

The grievance of the appellants falls in a narrow compass. The appellants submitted that they would be entitled to interest at the rate of 8% per annum for the entire tenure of the MIS Accounts.

We have heard learned counsel for the appellants and learned counsel for the Postal Department.

The narration of facts would indicate that during the tenure of the MIS Accounts, the appellants were entitled to interest at the rate of 8%. After the maturity period, the appellants would be entitled to interest at the rate of 6% per annum.

We accordingly modify the order of the NCDRC by directing as follows:

(i) Since the appellants have withdrawn the principal amounts, as awarded, the balance on account of the interest shall be paid within four weeks.

(ii) The appellants would be entitled to interest at the rate of 8% per annum until the maturity of the respective MIS Accounts; and

(iii) After the said dates of maturity of the respective MIS Accounts, the appellants would be entitled to interest at the rate of 6% per annum.

The appeal is disposed of in the above terms. No costs.

.....J.  
(DR. DHANANJAYA Y. CHANDRACHUD)

.....J.  
(HEMANT GUPTA)

NEW DELHI  
FEBRUARY 11, 2019

ITEM NO.59

COURT NO.9

SECTION XVII

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 SCIVIL APPEAL NO.1586 OF 2019  
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RESPONDENT(s)

Date : 11-02-2019 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Ms. Prerana Chaturvedi, Adv.  
Ms. Manju Jetley, AOR

For Respondent(s) Dr. Ashwani Bhardwaj, Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed  
order. No costs.

Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)  
AR-CUM-PS(SAROJ KUMARI GAUR)  
COURT MASTER

(Signed order is placed on the file)