

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA
AND
THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT APPEAL No.113 of 2022

JUDGMENT: *(Per the Hon'ble the Chief Justice Satish Chandra Sharma)*

The present writ appeal is arising out of order dated 21.01.2011 passed in W.P.No.1531 of 2010.

The facts of the case reveal that the writ petitioner came up before this Court by filing a writ petition being aggrieved by order dated 04.12.2009 passed by the Authorised Officer, Life Insurance Corporation Housing Finance Limited forfeiting the amount of Rs.2,16,500/- paid by her towards the sale price of the flat.

While the matter was being heard, learned counsel appearing for Life Insurance Corporation Housing Finance Limited made a proposal to refund the entire amount of Rs.2,16,500/- without interest and the learned counsel appearing for the writ petitioner accepted the proposal to receive the amount. In those circumstances, the writ petition was disposed of based upon the consent of the parties to refund the amount of Rs.2,16,500/-.

Now the present writ appeal has been filed by the appellant/writ petitioner and the prayer is that interest and costs be awarded.

In the considered opinion of this Court, as the order passed by the learned Single Judge was a consent order, the question of awarding costs and interest does not arise.

Accordingly, the writ appeal is dismissed.

Miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

SATISH CHANDRA SHARMA, CJ

ABHINAND KUMAR SHAVILI, J

17.02.2022
ES