

## **Deep Chand Gobind Ram Asnani vs Union Of India (Uoi) on 26 March, 1980**

**Equivalent citations: AIR 1981 SC 1635, 1981 SUPP(1) SCC 51, 1980(12) UJ 416(SC), AIR 1981 SUPREME COURT 1635, 1981 SCC (SUPP) 51, 1980 UJ(SC) 416, 1982 SCC (L&S) 52**

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**Bench: O. Chinnappa Reddy, V.R. Krishna Iyer**

### **JUDGMENT**

V.R. Krishna Iyer, J.

1. This appeal which had been heard at some length ended up at a certain stage by a suggestion from the Court to the State to take a realistic view of the situation apart from the merits of the matter. A sum of Rs. 50,000/- had been deposited in the trial Court by the State when a decree was passed against it and in favour of the appellant. This sum was withdrawn by the appellant although the decree itself was reversed by the High Court. In this Court, the appellant put forward many contentions which were contested by the State respondent. At the end of it all, we felt that without detailed consideration of the merits of the matter and having regard to the fact that the appellant was absolutely indigent, the Government may allow the appellant to keep a sum of Rs. 50,000/- in full settlement of all his claim including pensionary and other retrial benefits. Counsel for the state Shri Lalit today represents that the State has given respectful consideration to the Court's suggestion and his persuasion and has accepted the direction that a sum of Rs. 50,000/- be paid to the appellant in full. This sum need not be paid now because it has already been withdrawn by the appellant. Thus we direct that the appellant be entitled to a sum of Rs. 50,000/- in full settlement of all his claims and that the State need not pay any amount because the appellant has already received the same by withdrawal from the trial Court.

2. In exercise of our jurisdiction to award costs and having regard to the equities of the situation and in the circumstances of the case, we make a direction that the appellant be paid by the State a sum of Rs. 10,000- by way of costs. This sum will be deposited in three months from today. The appellant will have no more claim whatever. The appeal is disposed of as above.