

Supreme Court of India

Birdhichand Mishrilal Gothi vs State Of Maharashtra And Ors. on 13 February, 1989

Equivalent citations: AIR 1989 SC 1064, JT 1989 (1) SC 297, 1989 (1) SCALE 357, 1989 Supp (1) SCC 231, 1989 (1) UJ 473 SC, 2 (1989) WLN Rev 3

Author: R Misra

Bench: K J Shetty, R Misra

JUDGMENT Ranganath Misra, J.

1. Special leave granted.
2. We have heard counsel for the appellants and the State of Maharashtra. It is not in dispute that the bonds under the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 were not issued within the time-frame contemplated by the Act. The High Court found that the delay was for varying periods, the maximum being six years. On such finding the High Court to meet the requirement of equity directed that the appellants would be entitled to get interest as per provision in Section 26 of the Act at 3% per annum for the period of delay in issuance of bonds.
3. Taking the admitted facts of the case into consideration and the contentions raised by counsel for both sides before us, we direct that interest of 3% as granted by the High Court shall be enhanced to 10%. The appeal is disposed of.
4. This shall not be treated as a precedent.
5. Parties are directed to bear their own costs.