9. Mandeep Rathee etc. vs M/s Orris Infrastructure E/4340/2023

Present: Mr. Arpit Saini, Advocate for DH.
Ms. Charu Rustagi, Advocate for JD.

Heard on objections raised by JD. It is submitted by learned counsel for JD that DH has wrongly calculated the interest. Interest upon interest has been calculated which is not permissible as per law. Learned counsel relied upon a case titled as **"M/s D. Khosla and Company v. The Union of India (Special Leave Petition (Civil) No. 812 of 2014, 07 August 2024"**.

Said finding of the Apex Court is about interest as calculated under CPC/Arbitration Act. The Real Estate (Regulation and Development) Act, 2016 is a special Act. Rule 16 of Rules of 2017 made under said Act, prescribes as how interest is to be calculated.

I find no wrong in calculation done by DH. No merit in this objection. Dismissed.

As requested by learned counsel for DH, JD is directed to disclose its assets/properties including bank account and unsold inventories, which can be attached to realize the decretal amount. Information to be given in the form of affidavit to be sworn by anyone from directors of JD, preferably by Managing Director. At the same time, Recovery Officer/Tehsildar of the Authority be asked to enquire about the properties of JD and to file his report till next date.

To come on 02.07.2025 for further proceedings.

(Rajender Kumar)
Adjudicating Officer,
13.03.2025