

**Money Execution No. 03 of 2018**

**22-06-2022.**

Learned counsels for the Decree Holder as well as Judgment Debtor are present.

In terms of the last order dated 06-06-2022 passed by this court, the Judgment debtor has deposited a cheque of Rs. 2,37,44,029/- bearing cheque No. 303618 dated 14-06-2022 of SBI, Dirang, in favour of M/S Tenzing Construction and learned counsel for Decree holder acknowledged receipt of the cheque.

Let the cheque bearing No. 303618 dated 14-06-2022 of Rs. 2,37,44,029/- be handed over to the Decree Holder.


Learned counsel for Judgment Debtor has submitted that all the dues have been paid to the Decree Holder and execution proceeding may be disposed off on full and final satisfaction.

However, learned counsel for Decree Holder vide petition No. 2416/22 acknowledged receipt of payment but vide another petition No. 2415/22 filed under section 47 read with 151 CPC disputed the calculation of interest on the Awarded amount and claimed an amount of Rs. 2,70,90,354/- at 10% simple interest till 15-06-2022 over the amount awarded by the Arbitrator saying that Decree holder has been deprived off getting the actual entitlement.

Having heard the learned counsel appearing for both sides and on perusal of the Decree passed by Arbitrator and on perusal of the execution petition, this court found the payment made by Judgment debtor in terms of the Award and nothing remains to be paid by the Judgment Debtor to Decree Holder.

In the result the petition No. 2415/22 filed u/s 47 read with section 151 CPC stands dismissed as of having no merit.

Consequently, this Execution Proceeding is disposed off on full and final satisfaction on contest.

  
(C.B. Gogoi)  
District Judge,  
Sonitpur, Tezpur