

SUPREME COURT OF INDIA

S.S.International

Vs.

Electronics Corpn. of India & Anr.

C.A.No.1513 of 2008

(A.K.Mathur and Altamas Kabir,JJ.)

21.02.2008

ORDER

(Arising out of SLP(C) No.15415 of 2006)

1. We have heard learned counsel for the parties. Leave granted. This appeal is directed against the judgment and order dated 18th March, 2006 passed in City Civil Court Appeal No.124 of 1999 by the Division Bench of the Andhra Pradesh High Court whereby the suit was partly decreed for a sum of Rs.5,28,624.41 ps. with interest at the rate of 12% from the date of suit till the date of realization with proportionate costs. Aggrieved against this order, the present appeal has been filed. Having heard learned counsels for both the parties and after perusing the order, we are of the opinion that the view taken by the High Court is correct and we direct that a sum of Rs.5,28,624.41 ps. with -2- interest at the rate of 6% from the date of the decree shall be paid by the appellant to respondent No.1. The payment shall be staggered together with interest every month. The principle amount along with the interest shall be paid in easy five instalments. The payment of installments shall begin from 1st March, 2008 and shall be paid continuously for five months. The payment of installment shall be made by 15th day of each month. After receipt of full payment with interest, it will be open for the appellant to take possession of the machine. The respondent shall also deliver the machine without any hesitation to the appellant before us. All the transport charges will be borne by the appellant. The Registry is directed to work out the installment with interest of 6% and inform the appellant so that the appellant shall pay the amount month by month. The cost is made easy.

2. The appeal is accordingly, disposed of.