

Calculation and Adjustment of Interest in Civil Litigation (Rule of Appropriation of Interest)

Case Law- Gurpreet Singh V. Union of India

(on paragraph 43)

Thus, on the whole, we are satisfied that the essential ratio in the Prem Nath Kapur (supra) on appropriation being at different stages is justified though if at a particular stage there is a shortfall, the awardee decree holder would be entitled to appropriate the same on the general principle of appropriation, first towards interest, then towards costs and then towards the principal, unless, of course, the deposit is indicated to be towards specified heads by the judgment debtor while making the deposit intimating the decree-holder of his intention. We, thus, approve the ratio of Prem Nath Kapur (supra) on the aspect of appropriation.

Civil Litigation A Case Study

Xiaolong Qi



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