

Delhi Development Authority

NO: EM.1(10)83/ / c n 34

Dt: 17.8.88

Circular NO: 234

Sub: Award of pendent-lite interest by the Arbitrators.

Arbitrators are awarding pendent-lite interest in most cases. In "E.E. Irrigation Galimala & others V/s Abhaduta Jena" (Judgements today 1987(4)SC(8)) the Hon&ble Supreme Court has held that arbitrators are not competent to award pendent-lite interest. A copy of judgement is enclosed. It has been accordingly decided, in consultation with CLA, that we should file objections to all the awards in which pendent-lite interest has been awarded.

All EEs are advised to take this plea during the arbitration proceedings and also contest the awards pertaining to pendent-lite interest in consultation with the J.L.A. Whorover awards have already been delivered pendent-lite interest, may be contested when the same is sought to be made rule of the court.

Encl: Copy of judgement.

[Signature]
Director (Works)
D.D.A. 17/8

Copy to :

All CEs/SEs/EEs.