

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____/2026
[@ SLP [C] NO.10358/2026]

FOOD CORPORATION OF INDIA & ANR.

Appellant(s)

VERSUS

E.S.T. MOORTHY & ANR.

Respondent(s)

O R D E R

Leave granted.

We have heard the learned counsel appearing for the parties.

A limited notice was issued in this appeal with respect to the enhanced interest component alone.

Though the learned counsel appearing for the appellant(s) submits that there is no specific reference in the lease agreement with respect to interest, learned counsel appearing for the respondent(s) submits that the High Court was pleased to interfere in other aspects and that is the reason the interest has been fixed by the High Court at 12 per cent per annum.

After hearing the learned counsel appearing for the parties, while holding that the observations of the High Court that it is a commercial transaction may not be correct, the interest so awarded at 12 per cent per annum stands modified to 9 per cent per annum, in view of the finding on facts rendered

against the appellant by the High Court.

The appeal stands allowed in part, accordingly.

Pending application(s), if any, shall stand disposed of.

.....J.
[M.M. SUNDRESH]

.....J.
[PRASANNA B. VARALE]

NEW DELHI;
JULY 30, 2026.

ITEM NO.27

COURT NO.4

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 10358/2026

[Arising out of impugned final judgment and order dated 06-10-2025 in APPSU No. 501/2017 passed by the High Court of Judicature at Madras]

FOOD CORPORATION OF INDIA & ANR.

Petitioner(s)

VERSUS

E.S.T. MOORTHY & ANR.

Respondent(s)

FOR ADMISSION and I.R.

IA No. 79263/2026 - EXEMPTION FROM FILING O.T.

Date : 30-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) Mr. Durga Dutt, AOR
Mr. Pradeep Yadav, Adv.
Mr. Sadat Narayan Prasad, Adv.
Mr. Z Orenvungo Ezung, Adv.

For Respondent(s) Mr. Sajal Jain, AOR
Ms. Niharika Shukla, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeal stands allowed in part in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(ASHA SUNDRIYAL)
DEPUTY REGISTRAR

(POONAM VAID)
ASSISTANT REGISTRAR

[Signed order is placed on the file]