

Tilottama Devi and anr. Vs. Jitendra Singh and anr.

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Court : Jharkhand

Decided On : Apr-30-2007

Reported in : [2008(1)JCR118(Jhr)]

Judge : Amareshwar Sahay and; Permod Kohli, JJ.

Appellant : Tilottama Devi and anr.

Respondent : Jitendra Singh and anr.

Judgement :

ORDER

1. With consent of the parties this appeal is being disposed of at this stage itself. Grievance of the appellants in this appeal is with regard to the interest, awarded by the learned 1st Additional District Judge-cum-Motor Accident Claim Tribunal, Bermo, on the amount of compensation.

2. It is submitted that the Interest on the amount of compensation has been awarded from the date of impugned order, though it should have been awarded from the date of filing of the claim application.

3. Having heard learned Counsel for the parties and on perusal of the impugned judgment, we find that the Tribunal has not assigned any reason for not awarding the interest from the date of application and, therefore, we find that the Tribunal has committed error in awarding the interest on the amount of compensation from the date of impugned order. Accordingly, the order impugned is modified to the

extent that the interest at the rate of 6% per annum on the amount of compensation will be payable from the date of filing of application for compensation and not from the date of the impugned order. Respondent No. 6% the New India Assurance Company Limited, Chas, shall pay the differential amount of interest accrued from the date of application for compensation on 12th May, 2007 in the Lok Adalat.

4. With the above modification in the impugned order dated 1st March, 2006, this appeal stands disposed of.

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