

**THE HIGH COURT OF TRIPURA**  
**AGARTALA**

**MFA (W/C) 23 of 2011**

Sri Samir Das,  
Son of Sri Lal Mohan Das,  
Resident of Village – Rangutia, P.O. – Bamutia,  
P.S. Lefunga, District – West Tripura.

..... *Appellant*

**- Vs. -**

1. Sri Kanu Ram Das,  
Son of Sri Kala Chand Das,  
Resident of Village – Gandhigram,  
P.O. – Airport,  
District – West Tripura.  
(Owner of Vehicle No.TR-01-A-1403, Mini Bus)

2. The New India Assurance Company Ltd.  
Mantribari Road, Agartala,  
District – West Tripura.  
(Insurer of Vehicle No.TR-01-A-1403, Mini Bus)

..... *Respondents*

**BEFORE**  
**HON'BLE THE CHIEF JUSTICE MR. DEEPAK GUPTA**

For the appellant : Mr. S.K. Deb, Sr. Advocate.  
Mr. P.K. Chakraborty, Advocate.

For the respondent : Mr. P.K. Pal, Advocate,  
No.1.

For the respondent : Mr. K. Bhattacharjee, Advocate,  
No.2.

Date of hearing & : 27.11.2015.  
delivery of  
Judgment & order.

Whether fit for : No.  
reporting

**JUDGMENT & ORDER (ORAL)**

Mr. S.K. Deb, learned senior counsel appearing for the  
appellant submits that the only issue which he wants to raise in

the appeal is that the Workmen's Compensation Commissioner has not awarded interest in accordance with the Act.

2. The learned Commissioner has awarded interest @ 6% per annum from the date of accident with a stipulation that if the awarded amount is not deposited on or before a particular date then it shall carry interest @ 12% per annum.

3. Section 4A(3)(a) of the Workmen's Compensation Act the statutory mandate is that the Court has to award simple interest @ 12% per annum on the awarded amount. It has the discretion to award a higher rate of interest which does not exceed the maximum lending rate of any scheduled bank but it cannot award interest at a rate lower than 12% per annum.

4. Therefore, the appeal is allowed and the claimant is entitled to simple interest @ 12% per annum on the amount awarded by the Tribunal from the date of accident till payment/deposit of the amount.

5. L.C. Records be kept with CO(FA) No.01 of 2012.

**CHIEF JUSTICE**

*sima*