

***THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY***

**C.M.A.No.94 of 2010**

**JUDGMENT:**

The appellants filed O.A.A.No.504 of 2005 before the Secunderabad Bench of Railway Claims Tribunal, claiming compensation, on account of the death of late Dulappa, in an untoward incident that occurred on 24.09.2005. It was pleaded that the deceased died, when he fell from Train No.356 - Passenger, while travelling between Basheerabad to Sedam. The application was opposed by the respondent. Through order, dated 07.07.2009, the Tribunal awarded a sum of Rs.4,00,000/-, as compensation, and apportioned the same among the appellants. The limited grievance of the appellants is that the Tribunal did not award any interest from the date of filing of the O.A.A.

Heard learned counsel for the appellants and learned counsel for the respondent.

The Railway Claims Tribunals Act, which provides for payment of compensation, does not contain any provision, as regards award of interest. It is only in the recent past, that the Hon'ble Supreme Court in its decision in **Tahazhathe Purayil Sarabi and others v. Union of India**<sup>[1]</sup>, held that interest is payable at 6% per annum from the date of presentation of the claim petition.

Following the same, the C.M.A., is allowed, directing that the respondent shall pay interest at the rate of 6%, per annum, on the amount awarded by the Tribunal, in O.A.A.No.504 of 2005, from the date of filing of the claim petition, till the date of deposit.

There shall be no order as to costs.

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***L.NARASIMHA REDDY, J***

Dated:17.08.2010  
GJ

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[\[1\]](#) IV (2009) ACC 921 (SC)