

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

C.M.A. No.380 of 2006

JUDGMENT:

This appeal is preferred by the Insurance Company challenging order dated 28.02.2006 in W.C.No.5 of 2004 on the file of the Commissioner for Workmen's Compensation & Assistant Commissioner of Labour, Circle-I, Ranga Reddy District, Hyderabad.

2. The lower authority granted Rs.3,73,800/- together with stamp fee of Rs.650/- and interest amount of Rs.87,968/- as compensation for the death of Chechu Ramulu, driver on lorry bearing No.APO 1086, who died while on duty on 16.06.2003. The main ground on which the Insurance Company challenged order of lower authority is that the Commissioner erred in awarding interest @ 9% from 16.07.2003 i.e., 30 days after the accident, till the date of order.

3. Advocate for appellant submitted that the lower authority has no power to grant interest on the compensation awarded under Workmen Compensation Act, therefore, order to that extent has to be set aside.

4. But in view of the law laid down by the Apex Court in **Oriental Insurance Company Ltd v. Siby George and others** and **Saberabibi Yakubbbhai Shaikh and others v. National Insurance Co. Ltd., and others**, the contention of Insurance Company cannot be accepted. As per the above referred decisions, claimants are entitled for interest also, therefore the objection of appellant is not all tenable.

5. Following the decisions of **Oriental Insurance's** case and **Saberabibi's** case (supra 1 and 2), this Civil Miscellaneous Appeal is dismissed but in the circumstances without costs.

Miscellaneous petitions, if any pending, in this appeal shall also stand closed.

S. RAVI KUMAR, J

Date: 19-11-2015.

gvl