

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.7205 of 2010 (O&M)
Date of Decision:12.02.2015

National Insurance Company Ltd.

....Appellant

Versus

Raj Pal Singh and another

....Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Aditya Kochen, Advocate for
Mr. Ashwani Talwar, Advocate for the appellant.

Mr. Yogesh Gupta, Advocate for respondent No.2.

Mr. Anmol Malik, AAG, Haryana.

NAVITA SINGH, J.

1. The appeal was filed by the Insurance Company only on the limited point that the Company was not liable to pay interest and the interest, if any, was to be paid by the employer.

2. Counsel for respondent No.2 relying on Oriental Insurance Company Ltd. Vs. Siby George and others 2013 LIC 350, submitted that the present matter was covered by the said judgment as interest, liable to be paid by the employer, would be paid by the Insurance Company in case of valid insurance.

3. Also in Ved Prakash Garg Vs. Premi Devi and others 1998 ACJ 1, the Supreme Court had held that the Insurance Company was liable to pay interest imposed against the employer, where there was a valid insurance.

4. Counsel for the appellant had no counter argument to offer nor could he show any law to the contrary. In view of the law laid down by the Supreme Court as above, no cause survive in the appeal to the appellant. Rather no cause had arisen in favour of the Insurance Company.

5. The appeal is dismissed.

(NAVITA SINGH)
JUDGE

12.02.2015
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