

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

FAO No.4130 of 2012 (O&M)

Date of decision: 13.07.2015

Deepa Devi and others

..... Appellants

versus

M/s Bhalla Transport Company and another

..... Respondents

CORAM: Hon'ble Mr. Justice Kuldip Singh

Present: Mr. Inderjit Sharma, Advocate for
Mr. Nitin Gupta, Advocate for the appellants
Mr. N. P. S. Mann, Advocate for respondent No. 1
Mr. Lalit Garg, Advocate for respondent No. 2

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

The short question arising in the present appeal is as to whether the Commissioner was justified in not awarding interest and/or penalty while awarding the compensation to the appellants under the Workmen's Compensation Act, 1923.

Briefly stated an application was filed before the Commissioner under the Workmen's Compensation Act Union Territory, Chandigarh for grant of compensation on account of death of Sanjeevan Kumar Sharma in motor vehicle accident. The deceased was employed by respondent No. 1 transport company.

The Commissioner taking into consideration the income of the deceased and the relevant factor as per the age of the deceased

awarded the compensation to the tune of Rs.3,13,951/-.

It comes out that the deceased died on 11.4.2006. It appears that the application for compensation was filed immediately thereafter. The same was decided on 7.2.2011 till then the respondent did not pay the compensation. Therefore, it follow that not awarding the interest would amount go grave injustice to the appellants. Therefore, the appeal is allowed to the extent that the amount of compensation shall be payable with interest @ 12% per annum from 30 days after the death i.e. 11.5.2006 till payment.

13.07.2015
gk

(Kuldip Singh)
Judge