

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL NO. 1302 OF 2014

Parvatibai w/o Gulab Dhakre

Age : 41 Yrs., Occ. Household/

Now nil, R/o : Trimurti Nagar,

Parbhani, Tq. & Dist. Parbhani.

.... **APPELLANT/**

[ORI.CLAIMANT]

V E R S U S

1. Gulab s/o Namdeorao Dhakre

Age : 48 Yrs., Occ. Service,

R/o : United India Insurance

Co. Ltd., Station Road,

Parbhani, Tq. & Dist. Parbhani.

2. The Oriental Insurance Co. Ltd.,

Through its Branch Manager,

Daulat Building, Shivaji Chowk,

Parbhani, Tq. & Dist. Parbhani. ... **RESPONDENTS**

.....

Mr. P.N.Kalani, Advocate for appellant.

Mr. R.F.Totla, Advocate for R.No. 2.

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CORAM : T.V.NALAWADE, J.

DATE OF JUDGMENT : 20th JANUARY, 2016

ORAL JUDGMENT :-

. Heard learned counsel for both sides for final disposal. Learned counsel for respondent No. 2 strongly opposed for admission of the matter.

2. Appeal is '**admitted**'.

3. Short point is involved in the matter. Learned counsel for the appellant submitted that the claimant is entitled to claim interest at higher side and when the interest ought to have been made payable from the date of the petition, the Tribunal has granted interest @ 7.5% per annum from the date of the decision.

4. The aforesaid approach is not acceptable. The interest is payable from the date of the petition. Further, the interest at the rate for longer period needs to be given. In view of these circumstances, this Court holds that the Judgment and Award needs to be modified.

5. In the result, the Appeal is allowed. The

interest @ 9% per annum is awarded from the date of the petition till the date of realization.

[T.V.NALAWADE, J.]

KNP/F.A. 1302.2014 - [J]