

C.M.P.No.16084 of 2016 in C.M.A. No.SR44281 of 2016

T.RAJA, J.

Questioning the award of interest at the rate of 12%, the United India Insurance Company Limited has proposed to file an appeal against the impugned award dated 26.02.2016 made in E.C. No.726 of 2014 on the file of the Commissioner for Employees Compensation (DCL), Salem, awarding a sum of Rs.5,40,137/- along with interest at the rate of 12% per annum. In the meanwhile, the delay of 55 days had occurred.

2.Learned counsel appearing for the petitioner/Insurance Company would submit that after the award was passed directing the petitioner to pay the interest at the rate of 12%, which is not justifiable by the learned Tribunal, the case papers along with the legal opinion given by the learned counsel appeared on behalf of the Insurance Company, were received only on 10.06.2016. In the meanwhile, the delay of 55 days had occurred, which is neither willful nor wanton.

3.Considering the reasons stated in the affidavit and the submissions made by the learned counsel for the petitioner, this petition is allowed and the delay is condoned.

21.10.2016

vga

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