

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

**CM-24540-CII-2014 in/and
FAO No.393 of 2008.
Date of Decision: 11.05.2016.**

Reeta Rani	VERSUS	Appellant.
Union of India		Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. S.K. Rana, Advocate for the appellant.

Mr. Karminster Singh, Advocate for the respondent.

SNEH PRASHAR, J.

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This is an application filed under Section 151 of the Code of Civil Procedure for final disposal of the appeal in terms of the law laid down in judgment dated 23.09.2009 passed in FAO No.690 of 2009 titled as “Sikander Singh vs. Union of India”.

Learned counsel for the respondent stated that he has no objection in disposal of the appeal in view of the judgment dated 23.09.2009.

In view of the above, the appeal is taken up for disposal and the application stands disposed of.

FAO No.393 of 2008

By way of judgment dated 09.10.2007 passed by learned Railway Claims Tribunal, Chandigarh Bench, Chandigarh, the two claim

applications, one bearing case No.OA-II/143/2001 and the other bearing No.OA-II/144/2001 both dated 28.09.2001 filed by appellant Reeta Rani, claiming compensation firstly for the injuries sustained by her in a railway accident and secondly for the death of her child in the same accident, were disposed of. In the claim application at serial no.1, she was awarded compensation to the tune of Rs.60,000/- and in the claim application at serial no.2 she and her husband were awarded Rs.4 lacs as compensation. The respondent-railways were allowed 60 days time to make payment of the compensation amount, failing which the awarded amount was to carry interest at the rate of 9% from the date of order i.e. 09.10.2007 till realization of the same.

Feeling dissatisfied with the order passed with regard to the interest, the appellant preferred two separate appeals, particulars of which are as under:-

- (i) FAO No.393 of 2008
- (ii) FAO No.432 of 2008

FAO No.432 of 2008 was disposed of by this Court vide order dated 04.11.2009 allowing interest to the appellant at the rate of 9% on the amount so awarded by the Railway Tribunal from the date of the claim application till the payment was made.

As the issue raised by the appellant in the instant appeal is also the same, the appeal is disposed of in terms of the order passed by this Court on 04.11.2009 in FAO No.432 of 2008. Accordingly, the appellant

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will be entitled to interest at the rate of 9% on the amount of compensation awarded by the Railway Tribunal from the date of the claim application till the date of realization of the said amount.

The appeal is disposed of accordingly.

**(SNEH PRASHAR)
JUDGE**

11.05.2016.
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