

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

**CM No.3715-CII of 2015 and
FAO No.1536 of 2013 with
XOBJC No.86-CII of 2013
Date of Decision: December 20, 2016.**

ICICI Lombard General Insurance Co. Ltd.

.....Appellant

Versus

Harrachhpal Kaur and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Subhash Goyal, Advocate for
Mr. Paras Money Goyal, Advocate
for the appellant.

Mr. Vishal Sodhi, Advocate
for respondent Nos.1 to 4/Cross Objectors.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in *CM No.3715-CII of 2015* is for withdrawal of the
present appeal which is pending in this Court.

Notice of the application to the counsel for the non-
applicant/respondents.

Mr. Vishal Sodhi, Advocate accepts notice on behalf of the
respondents and states that he has no objection to the prayer made by the
counsel for the appellant, however his cross-objections may be taken up for
hearing as a limited prayer has made therein to grant interest on the amount
of compensation awarded @12% per annum which is statutorily provided
instead of 9% per annum as has been granted vide its order dated
30.11.2012, by the Commissioner under the Workmen's Compensation
Act, 1923.

In view of the above and on joint request made by the counsel for the parties main appeal and the cross objections are taken on board for consideration.

CM No.3715-CII of 2015 is allowed and *FAO No.1536 of 2013* is hereby dismissed as withdrawn as prayed for.

A perusal of the order dated 30.11.2012 passed by the Commissioner, Workmen's Compensation Act, Patiala, would show that interest which has been granted is @ 9% per annum on the compensation amount. Interest is, therefore, enhanced from 9% per annum to 12% per annum from the date of accident till its actual realization on the compensation amount of ₹4,07,700/- which appellant and respondent No.5 has been directed to pay.

The amount as a consequence of the interest having been enhanced be deposited by the Insurance Company with the Commissioner, Employee's Compensation and Assistant Labour Commissioner, Patiala, within a period of eight weeks from today.

XOBJC No.86-CII of 2013 is also allowed in above terms.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

December 20, 2016

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No