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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ MAC.APP. 669/2016

ORIENTAL INSURANCE COMPANY LTD Appellant

Through: Mr. Saurabh K. Tuteja, Advocate

Versus

PUSHP LATA & ORS

.... Respondents

Through: Mr. S.N.Parashar, Advocate for
Respondents No.1 & 2-Claimants

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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16.12.2016

Impugned award grants compensation of ₹12,67,000/- with interest@12% p.a. to respondents No.1 & 2/claimants on account of death of *Pulkit Kumar* in a road accident on 11th July, 2014.

Learned counsel for appellant submits that no relief is claimed in this appeal qua respondents No. 3 & 4 and so, service upon them is dispensed with. It is submitted by learned counsel for appellant that the awarded interest @ 12% p.a. is on the higher side and it needs to be suitably reduced. Nothing else is urged on behalf of appellant-Insurer.

Upon hearing and on perusal of impugned Award, I find that the interest on the awarded amount ought to be @ 9% p.a. instead of 12% p.a. It is so said, in view of Supreme Court decision in *Jitendra Khimshankar Trivedi & Ors. v. Kasam Daud Kumbhar & Ors.* (2015) 4 SCC 237.

In view of aforesaid, the interest granted on the awarded amount is reduced from 12% p.a. to 9% p.a.

With aforesaid modification, this appeal is disposed of while making it clear that this order will have no bearing on the connected MAC.Appeal No. 818/2016 wherein enhancement of compensation is sought. Statutory amount deposited be refunded to appellant-Insurer.

(SUNIL GAUR)
Judge

DECEMBER 16, 2016

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