$~26

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

\+ MAC.APP. 942/2015 & C.M.29434/2015

THE ORIENTAL INSURANCE CO LTD ..... Appellant

Through: Mr. JPN Shahi, Advocate

versus

LAXMI AND ORS. .....Respondents

Through: Mr. Manish Maini, Advocate for respondents No.1 to 3

**CORAM:**

**HON'BLE MR. JUSTICE SUNIL GAUR**

**O R D E R**

**% 21.11.2016**

In this appeal, the challenge to the impugned Award is only on the ground of that rate of interest granted is exorbitant. Interest @ 12% *per annum* has been granted by impugned Award.

Upon hearing and in view of the decision in *HDFC Ergo General Insurance Co. Ltd. v. Smt. Lata Devi & Ors.*, (2015) SCC OnLine Del 6505, impugned Award is modified to the extent that awarded amount shall carry the interest @ 9% *per annum* and not 9% *per annum.*

The excess interest amount deposited by appellant be refunded to appellant alongwith the statutory deposit made by appellant. The trial court record tagged with this appeal be now tagged with MAC.APP. 51/2016.

This appeal and the application are accordingly disposed of.

**(SUNIL GAUR)**
**JUDGE**

**NOVEMBER 21, 2016**
s