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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 2480 of 2000 (O/M)

Date of decision : 15.2.2017

Mohammad Razak

..... Appellant (s)

Versus

Union of India

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Karamjit Verma, Advocate, for the appellant.

Mr. Karminder Singh and Mr. Nitin Kumar, Advocates, for
respondent.

1. Whether the Reporters of local newspaper may be allowed to
see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

At the very outset, the learned counsel for the appellant states that he has been appointed as a counsel by the Railways, therefore, he wants to withdraw his power of attorney. However, he has been requested to assist the Court since as per the report received from the office, the appellant is not traceable on his last known address.

Heard.

The appellant was a passenger of Sealdah Express train, which met with an accident with Frontier Mail, near Khanna. He is stated to have received multiple injuries and remained admitted in CMC Ludhiana. He also claims that he lost his luggage. He was awarded compensation to the tune of Rs. 45,000/- for the injuries suffered by him and for the loss of his luggage. The Railways was allowed 60 days time to make the compensation, failing which the applicant shall be entitled to recover the

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compensation amount with interest at the rate of 12% per annum from the date of the order till the payment is made.

I have heard the learned counsels for the parties and have also carefully gone through the file.

After going through the file, I am of the view that for the injuries suffered and for the loss of luggage, a sum of Rs. 45,000/- is just and proper and no interference on the quantum of compensation is called for. However, no interest has been allowed, if the payment is made within 60 days. The compensation was required to be paid within a reasonable time of the accident. However, it was not paid. However, the interest is to be paid from the date of filing of the application till the date of payment. Therefore, the impugned judgment is modified to the extent that the interest shall be payable from the date of filing of the application till the date of payment.

With the above-noted modification, the present appeal is dismissed.

(KULDIP SINGH)
JUDGE

15.2.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No