

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.6076 of 2012(O&M)

Date of decision: 09.02.2017

Basanti Tiwari and othersAppellants
versus
Union of IndiaRespondent

FAO No.1918 of 2013(O&M)

Smt.Rinko Devi @ Rinku Devi and othersAppellants
versus
Union of IndiaRespondent

FAO No.3059 of 2013(O&M)

Smt.Pushpa RaniAppellant
versus
Union of IndiaRespondent

FAO No.3067 of 2013(O&M)

Smt.Raj RaniAppellant
versus
Union of IndiaRespondent

FAO No.4017 of 2013(O&M)

Rohit KumarAppellant
versus
Union of IndiaRespondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: None for the appellants
Mr.Vikas Chatrath, Advocate and
Mr.Neeraj Thakur, Advocate for the respondent
in FAO No.6076 of 2012
Mr.G.S.Gopera, Advocate for
Mr.Sanjiv Ghai, Advocate for the respondent
in FAO No.1918 of 2013
Mr.Nitin Kumar, Advocate for the respondent
in FAO Nos.3059 and 3067 of 2013
None for the respondent in FAO No.4017 of 2013

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

This order will dispose of five appeals bearing FAO No.6076 of 2012, FAO No.1918 of 2013, FAO Nos.3059 and 3067 of 2013 and 4017 of 2013. However, for facility of reference facts are being mentioned from FAO No.6076 of 2012.

In all the five appeals, compensation of Rs.four lacs each was awarded to the applicant(s) by the Railway Claims Tribunal, Chandigarh Bench, Chandigarh (in short, 'the Tribunal') with interest @ 6% per annum from the date of filing of claim application till the date of award with the further direction that if the amount is not paid within 60 days, the applicant(s) shall be entitled to further interest @ 9% per annum from the date of the award till payment.

At the time of hearing, none has appeared for the appellants despite second call. I have considered the case of the appellants, also heard learned counsel for the respondents and have carefully gone through the file.

After going through the file, I am of the view that the Tribunal after considering the facts and circumstances of the case, granted interest @ 6% per annum during the pendency of the claim petition and @9% per annum if the payment is not released within 60 day except in one case. The Tribunal has exercised its discretion which from its face does not appear to be arbitrary and does not call for any interference so as to grant higher rate of interest. No ground is made out to enhance the rate of interest.

Consequently, all the five appeals are dismissed.

A copy of the order be placed on the connected files.

09.02.2017

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:

Yes

Whether Reportable:

No