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

Decided on: 2nd November, 2017

+ **MAC APPEAL No. 529/2017**

ORIENTAL INSURANCE CO. LTD. Appellant
Through: **Mr. R.K. Tripathi, Adv.**

versus

AANCHAL VERMA & ORS. Respondents
Through: **Ms. Manasi Sahoo, Adv. for R-
2 & 3.**

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

JUDGMENT (ORAL)

1. On the accident claim case (MACT 14617/2015) of the first respondent (claimant) instituted on 07.06.2012, the tribunal, by its judgment dated 28.03.2017, awarded compensation in the sum of Rs. 5,83,338/- on account of injuries suffered by her in motor vehicular accident that occurred on 02.03.2012 due to negligent driving of a vehicle insured with the appellant insurance company (insurer), fastening the liability on it (the appellant) to pay the said amount with interest @ 12 % per annum from the date of filing of the petition till realization.

2. The insurer is in appeal raising grievance only concerning the rate of interest. Notice was issued to the claimant by order dated

05.07.2017. In spite of service, there is no appearance on behalf of the claimant.

3. On perusal, it is noted that the tribunal has not given any special reasons for awarding the interest @ 12 % per annum, which rate is higher than the ordinary. Following the consistent view taken by this Court, the rate of interest is reduced to 9% (nine percent) per annum from the date of filing of the petition till realization. [see judgment dated 22.02.2016 in MAC.APP. 165/2011 *Oriental Insurance Co Ltd v. Sangeeta Devi & Ors.*]

4. By order dated 05.07.2017, the insurance company had been directed to deposit the entire awarded amount with upto date interest @ 9%, which was permitted to be released to the claimant in terms of the judgment of the tribunal. The said deposit and release would have satisfied the award as has been modified above. Thus, no further directions are required.

5. The appeal with applications accompanying with it stands disposed of in above terms.

6. The statutory amount shall be refunded.

R.K.GAUBA, J.

NOVEMBER 02, 2017

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