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

Decided on: 30th August, 2017

+ **MAC.APP. 782/2017 & CM No. 31454/2017 (stay)**

RELIANCE GENERAL INSURANCE CO LTD..... Appellant

Through: **Ms. Perna Mehta, Adv.**

versus

RANEE DEVI & ORS Respondents

Through: **None.**

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

JUDGMENT (ORAL)

1. On the claim petition (new MACT no.477063/2016) of the first to seventh respondents (collectively, the claimants), the Motor Accident Claims Tribunal (Tribunal), by judgment dated 07.06.2017, which is impugned herein, while awarding compensation on account of the death of Vikash Kushvaha @ Vikas due to negligent driving of a truck bearing registration no.HR-55T-8624 (old no.BR-51A-1198) admittedly insured with the appellant / insurance company (insurer), it has been burdened with the liability to pay the same with interest at the rate of 9% p.a.

2. The appeal seeking to assail the aforesaid judgment of the tribunal is based only on the ground that the rate of interest levied is excessive.

3. The learned counsel for the appellant has been heard and the record perused.

4. The interest is levied on the compensation determined with reference to the date of cause of action to make good the deficiency in the real value of the money on account of the inflation over the period that lapses on account of the judicial process. The rate of interest has been invoked by the tribunal in exercise of its judicial discretion. The rate applied is in accord with the rate of interest that has been consistently invoked by this court. [see judgment dated 22.02.2016 in MAC.APP. 165/2011 *Oriental Insurance Co Ltd v. Sangeeta Devi & Ors.*]. There are no good grounds to interfere with the discretion.

5. For the foregoing reasons, the appeal is devoid of substance and is dismissed in *limine*. The pending application also stands dismissed.

6. The appellant is directed to abide by the award by making requisite deposit with corresponding interest with the tribunal within thirty days, making it available to be released to the claimants.

7. The statutory deposit shall be refunded after proof is adduced of award having been satisfied.

R.K.GAUBA, J.

AUGUST 30, 2017

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