

THE HON'BLE SRI JUSTICE D.V.S.S.SOMAYAJULU

C.M.A.NO.250 of 2008

JUDGMENT

This appeal is filed by the United India Insurance Company Limited against the orders dated 12.9.2003 passed in WC.No.19 of 2000 by the Commissioner for Workmen's Compensation and Assistant Commissioner of Labour, Ranga Reddy District.

The application came up for hearing before the Commissioner for Workmen's Compensation and Assistant Commissioner of Labour, Circle No.1, Ranga Reddy District. Upon perusal of the pleadings and evidence, the Commissioner passed an order awarding a sum of Rs.3,19,224/- towards compensation including interest at the rate of 12% i.e. Rs.1,03,344/-.

The facts of the case are not being narrated in detail as the essential question that is raised in the appeal during the course of the submissions of the learned counsel for the appellant Sri P. Venu Gopal Reddy is to the effect that the Commissioner committed an error in awarding interest at the rate of 12% p.a. from the date of the accident.

The learned counsel frankly conceded that at that point of time, the law was not fully settled down on the issue but still he argues that interest should have been awarded from the date of adjudication of the claim and not from the date of the accident.

In response thereto, the learned counsel for the respondents argued that interest from the date of the accident should be awarded. He points out that in the very first judgment of the Hon'ble Supreme Court of India in the case of **Pratap Narain Singh Deo v. A.Srinivas Sabata and another**¹, four Honourable Judges of the Hon'ble Supreme Court

¹ AIR 1996 SC 222

held that compensation is payable from the date of the accident itself. He also points out that in the subsequent judgments including the judgment of the Hon'ble Supreme Court of India in ***Ved Prakash Garg v. Premi Devi and others***², interest was awarded at the rate of 12% per annum from the date of the accident itself.

This Court finds that the submissions of the learned counsel for the respondents are correct and the decisions of the Hon'ble Supreme Court of India make it clear that interest has to be awarded from the date of the accident. Therefore, this Court is of the opinion that there is no error in the impugned judgment of the lower Court.

Hence, for all these reasons, the judgment and decree of the lower Court is confirmed and the appeal is dismissed. No costs.

Miscellaneous petitions pending, if any, in this appeal shall stand closed.



D.V.S.S.SOMAYAJULU,J

Date: 12/02/2018

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² AIR 1997 SC 3854