

FAO No. 642 of 1993 (O&M)

1

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

346

**FAO No. 642 of 1993 (O&M)
Date of Decision : 12.2.2018**

NATIONAL INSURANCE CO. LTD.

....APPELLANT

VS

MOHINDER KAUR AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Neeraj Khanna, Advocate
for the appellant.

Mr. B.K.Bagri, Advocate
for respondent No. 6.

AJAY TEWARI, J.(Oral)

This appeal has been filed for setting aside the award passed by the Commissioner under Workmen's Compensation Act amounting to Rs. 64387.20/- alongwith interest @12% per annum.

Brief facts of the case are that the deceased-husband of respondent No.1 was working as a driver with respondent No.6. The deceased was driving the truck himself and met with an accident and died on the spot. The Court awarded a sum of Rs. 64387.20/- with 12% interest per annum as a compensation amount to the claimants/respondent No. 1 to 5.

The argument raised by the learned counsel for the appellant is that interest was not payable by the insurance company. However

FAO No. 642 of 1993 (O&M)

2

counsel for the respondent No.6 has relied upon “***Oriental Insurance Company Ltd. vs. Siby George (2012) 12 SCC 540***” to contend that the interest would have to be paid by the appellant. Learned counsel for the appellant is not in a position to cite any contrary judgment.

Consequently, the appeal stands dismissed.

Since the main case has been decided, the pending C.M, if any, also stand disposed of.

12.2.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No