

FAO No. 82 of 1993 (O&M)

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

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FAO No. 82 of 1993 (O&M)

Date of Decision : 16.2.2018

CHARAN KAUR

....APPELLANT

VS

BALRAM KUMAR KAUSHAL AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Ramneek Vasudeva, Advocate
for the appellant.

None for respondent No. 1.

Mr. R.K.Bashamboo, Advocate
for respondent No. 2.

AJAY TEWARI, J.(Oral)

This appeal has been filed by the claimants seeking enhancement.

Brief facts of the case are that son of the claimant was working as a driver with the respondent No.1 when he died while on duty on 1.1.1989. The Commissioner held that they were able to prove these essential facts took the salary as Rs. 800/- per month and awarded an amount of Rs.70384/-. The argument of the learned counsel for the appellant is that as per the relevant factors the compensation had to be Rs.87980/-. Counsel for the respondent No.2 has accepted this. Resultantly, the compensation is increased by Rs.17596/-.

Learned counsel for the appellant has argued that though

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respondent No.2 has deposited Rs.43980/- during the course of proceedings yet the Commissioner should have awarded at least interest on the remaining amount of Rs. 44000/-. I find this to be a fair request. I impose the rate of interest 8% on the remaining amount of Rs. 44000/- from one month after the date of accident till the date/s of payment.

The appeal stands allowed.

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

16.2.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No