

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.720 of 2014

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Rajneesh Kumar Tiwari, S/o Late Hari Narayan Tiwari, Resident of village -
Malpur, P.S. Patepur, District - Vaishali

... .. Appellant/s

Versus

1. Mohan Prasad, Proprietor Chandani Travels, Mohanpur Road, Kashipur,
District- Samastipur.
2. Sr. Divisional Manager, Division office, The Oriental Insurance Company
Ltd. Motijheel, P.S. Town and District- Muzaffarpur

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Sanjay Parasmani, Adv.
For the Respondent no.1	:	Mr. Sunil Kumar Singh, Adv
For the Insurance Co.	:	Mr. Rana Randhir Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

Date : 09-09-2019

Heard the parties.

It has been submitted on behalf of claimant/appellant that although tribunal has awarded compensation to him but same has been granted from the date of order and not from the date of application.

Interest is to be paid on the compensation amount in terms of Section 171 of the M.V. Act and interest is payable from the date of filing of claim application till its realization.

The prayer of the appellant is being opposed on behalf of counsel for the respondent/insurance company that appellant had filed this appeal after much delay as such, there is no need for any interference in the order passed by the claims Tribunal.



After hearing counsel for the appellant as well as counsel for the respondent/insurance company, this court find that the interest on the compensation amount as determined by the Tribunal is to be granted from the date of application and not from the date of order as such, the order passed by the tribunal is modified to the said extent that interest on the compensation amount is to be granted from the date of claim application.

This miscellaneous appeal is allowed.

The interest amount to be paid by the insurance company after calculating the amount of interest from the date of filing of claim application till its payment and same be paid within three months from the date of receipt/production of a copy of order passed by this court.

(S. Kumar, J)

Rajiv/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

