

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.519 of 2015

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Smt. Razia Devi w/o Late Vilas Paswan, resident of village- Makhdumpur,
PO and PS Athamalgola, Distt Patna Bihar.

... .. Appellant/s

Versus

The Union Of India Through The General Manager East Central Railway
Hajipur

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Krishna Mohan Murari, Advocate
For the Respondent/s : Mr. A. K. Keshri, Advocate
Mr. Arun Kumar Arun, Advocate

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

Date : 08-07-2019

Heard parties.

This miscellaneous appeal under Section 23 of the Railway Claims Tribunal Act, 1987 has been filed against the part judgment and order dated 4.8.2015 passed in case no. OA 00274 / 2005 passed by the learned member (Judicial) of the Railway Claims Tribunal, Patna Bench at Patna by which interest has been awarded from the date of registration of application and not from the date of filing of claim application.

Claimant had filed application for grant of compensation of rupees 4 lacs on account of death of deceased in an untoward incident and tribunal by its order dated 04.08.2015 had allowed the claim case of appellant, however, interest was granted form the date of registration of claim case



and not from filing of claim case.

It is now well settled preposition of law that interest on the compensation amount is granted from the date of filing of claim application till its payment.

Accordingly, the order passed by the tribunal is modified to the extent that 6 % interest on the compensation amount of rupees 4 lacs is payable from the date of filing of application till its payment.

The respondents to calculate the amount of interest and pay to the claimant within three months from the date of receipt/production of a copy of order passed by this Court.

This miscellaneous appeal is allowed.

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

