

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION NO.1501/2019 IN M.C.A.ST.NO.15279/2019(REVIEW) IN
FIRST APPEAL NO.142/2019(D)

Union of India, through its General Manager, Central Railway, Mumbai CST.
Vs.

ManjuSaran wd/o Harendra Bhushan & Ors.

Office notes Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri N.P.Lambat, Advocate for applicant.
Shri A.B.Bambal, Advocate for non applicants.

CORAM : A.S.CHANDURKAR, J.
DATED : August 16, 2019.

Notice on this application is made returnable forthwith.
Shri A.B.Bambal, learned counsel waives notice on behalf of the non
applicants.

Considering the reasons mentioned in the application, the
delay in filing review application stands condoned.

Civil Application is disposed of.

M.C.A.ST.NO.15279/2019(REVIEW)

Admit. Shri A.B.Bambal, learned counsel waives notice on
behalf of the non applicants. Heard finally.

It is submitted on behalf of the applicant that the interest on
the amount of compensation which was enhanced to Rs.eight lakhs could
not have been directed to be paid from the date of filing of the claim
application on the ground that the proceedings for compensation were
filed before the provisions permitting award of higher compensation were
amended. It is therefore submitted that the interest on the same could
have directed to be paid only from the date of the judgment.

Shri A.B.Bambal, learned counsel for the claimants does not dispute the aforesaid submissions. He submitted that the proceedings were filed prior to issuance of the Notification enhancing the amount of compensation from Rs.four lakhs to Rs.eight lakhs.

In that view of the matter, it is clarified that the claimants are entitled to the compensation of Rs.eight lakhs which would be payable with interest @9% per annum from the date of the judgment in First Appeal No.142/2019 which is 08.03.2019. The said amount be paid within a period of two months from today. The judgment in First Appeal No.142/2019 is reviewed to that extent.

Miscellaneous Civil Application is disposed of in aforesaid terms.

JUDGE

Andurkar.