

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

238

FAO-108-2017 (O&M)

Date of decision: 09.05.2019

JEENAT & ORS

... Appellants

Versus

HEERA LAL & ANR

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Ashish Gupta, Advocate for the appellants.
Mr. Rajesh K. Sharma, Advocate for the insurance company.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking enhancement of compensation assessed by the Commissioner, Gurgaon under the Employees Compensation Act, 1923.

Counsel for the appellants has conceded to the position that proceeding with regard to payment of penalty is pending consideration before the Commissioner but some directions may be issued for disposal of the matter in a time bound manner.

The sole submission made by counsel for the appellants is that the Commissioner has allowed interest from the date it fell due but it has not been clarified as to from which date it is to be paid.

Taking into consideration judgment of Hon'ble the Supreme Court **Oriental Insurance Company Ltd. Vs. Siby George, 2012(4) RCR (Civil) 617**, interest shall be payable from the date of accident till realization.

In view of what has been discussed hereinabove, the appeal is partly allowed. The Commissioner concerned shall dispose of proceedings with regard to imposition of penalty expeditiously.

09.05.2019

ashok

Whether speaking/reasoned:
Whether reportable:

(REKHA MITTAL)

JUDGE

Yes / No
Yes / No