

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**FIRST APPEAL NO. 293 OF 2020**

Mahadeo S/o Kisanrao Shinde and another

..vs..

Union of India, through General Manager, South-East Central Railway, Bilaspur (C.G.)

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

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Ms Priya A. Thakre, Advocate for appellants  
Shri N.P. Lambat, Advocate for respondent  
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**CORAM : SMT. ANUJA PRABHUDESSAI, J.**  
**DATED : 13/01/2022**

The appellants who are the original claimants before the Railway Claim Tribunal have challenged the judgment and order dated 13/10/2015 in Claim Application No. OA.IIu/NGP/2014/0079.

2. Heard Ms Thakre, learned Counsel for the appellants and Shri Lambat, learned Counsel for the respondent.

3. The learned Counsel for the appellants states that the Railway Claim has awarded compensation of Rs.4,00,000/- with interest at the rate of 6% per annum from the date of the condonation of delay till final payment. She states that the appellants/claimants are entitled for interest at the rate of 9% from the date of the application.

4. The record indicates that the accident had occurred on 15/09/2010. The appeal was filed in the

year 2014 along with delay condonation application. The delay was condoned on 18/03/2014. The Tribunal has granted interest at the rate of 6% per annum from the date, the delay was condoned till final realization.

5. The appellants had filed the claim much beyond the period of limitation. The respondent cannot be saddled with interest for the delayed period. The tribunal has thus not committed any error in not granting interest from the date of accident till the date the delay was condoned. The appellant has also not been able to show that at the relevant time, the rate of interest was more than of 6% per annum. Hence the appeal has no merits and is accordingly dismissed.

**JUDGE**

*R.S. Sahare*