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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Civil Revision No.2736-2022 (O&M)  
Date of Decision:08.09.2022

Anil and others

.. Petitioners

Vs.

Vinod and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Pankaj Mehta, Advocate for the petitioner.

Mr. V. Ramswaroop, Advocate  
for the respondent.

...

**Manoj Bajaj, J. (Oral)**

Petitioners (claimants) have filed this revision petition under Article 227 Constitution of India to challenge the order dated 12.11.2021 (Annexure P-3) passed by Motor Accident Claims Tribunal, Bhiwani, whereby while accepting their application for release of the compensation in compliance of the order dated 02.04.2019 passed by this Court in FAO No.6732 of 2018, the release of interest amount was declined.

Learned counsel for the petitioners submits that the Motor Accident Claims Tribunal, Bhiwani vide award dated 14.08.2018 while accepting the claim petition had awarded compensation of Rs.17,90,320/- along with interest @ 9 % p.a and their shares in the compensation were also determined. He submits that the said award was challenged by the insurance company (respondent No.2) through FAO No.6732 of 2018, wherein this Court had only stayed the compensation beyond Rs.12 lacs vide order dated 02.04.2019 and pursuant to the same, an application (Annexure P-2) was moved by the claimants for release of Rs.13,70,244/-, which was deposited by insurance company in compliance of the said

direction on 01.05.2021 and it included the interest as well. Learned counsel has drawn the attention of the Court to the impugned order to submit that the Tribunal has not released the interest which stood deposited by the insurance company, therefore, only to this extent, the petitioners have filed this petition to seek release of interest amount.

Notice of motion.

At this stage, Mr. V. Ramswaroop, learned counsel accepts notice on behalf of the respondent-insurance company and does not dispute the factual aspect, but states that indeed compensation beyond Rs.12 lacs was stayed by this Court, and according to him, the impugned order has been rightly passed by restricting the release of compensation amount of Rs.12 lacs only.

After hearing the learned counsel and considering the above background, this Court finds that since the interest accrued upon the sum of Rs.12 lacs has already been deposited by insurance company, therefore, withholding the interest would not be justified. No doubt, the order dated 02.04.2019 only speaks about the compensation, but at the same time, there is no restraint regarding release of the interest part, therefore, it is held that the claimants are also entitled to get the interest amount of Rs.1,70,244/-.

Resultantly, this revision petition is disposed of with a direction to MACT, Bhiwani to release the interest of Rs.1,70,244/- to the claimants forthwith.

08.09.2022  
Jasmine Kaur

(MANOJ BAJAJ)  
JUDGE

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|---------------------------|-----|----|
| Whether speaking/reasoned | Yes | No |
| Whether reportable        | Yes | No |