

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO.149 OF 2018

United India Insurance Co. Ltd.	}	
Thr. Its Manager Mr.S. Kumaravelan	}	Appellant
5 th Floor, Union Operative Insurance	}	(Original
Building, Fort, Mumbai-400 001.	}	Opponent No.2)

V/s.

1. Mr.Pralhad Babu Rao Ingle	}	
R/at House No.455,	}	
At & Post, Chandan sar Katkari Pada,	}	Original
Taluka-Vasai, District-Thane.	}	Applicant

2. Mr.Walter J. Vaz	}	Original
Opp. Valvadevi Temple, Waliv, Vasai (E),	}	Opponent No.1
District-Thane.	}	Respondents

Mr.Rahul Mehta i/b KMC Legal Venture, for the Appellant.
Mr.Yogesh Pande i/b Mrs.S.U. Mehta, for Respondent No.1.

CORAM : SHIVKUMAR DIGE, J.

DATE : 21st DECEMBER 2023

ORAL JUDGMENT :-

. The issue involved in this Appeal is interest period awarded for the period from 5th August 2008 to 9th December 2014, on compensation amount is not proper.

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2. It is contention of learned counsel for the Appellant that, the Claim Petition filed by Respondent-Claimant was dismissed by the Tribunal on 5th August 2008, thereafter, it was restored on 9th December 2014. The Tribunal has awarded compensation to the Claimant but the Tribunal has awarded interest on dismissal period, which is not proper. Hence, requested to allow the Appeal.

3. The learned counsel for Respondent-Claimant is ready to waive the interest period for dismissal period.

4. In view of above and considering the statement of learned counsel for the Claimant, I pass following order.

ORDER

(i) Appeal is partly allowed.

(ii) The Claimant's-Respondent's are not entitled for interest as directed by the Tribunal on compensation amount from 5th August 2008 to 9th December 2014.

(iii) The Claimant's are permitted to withdraw deposited amount along with accrued interest.

(iv) The statutory amount be transmitted to the Tribunal. Parties are at liberty to withdraw it.

(v) All pending Civil/Interim Application's are disposed of.

(SHIVKUMAR DIGE, J.)