



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

**CIVIL APPLICATION NO.1215 OF 2023 IN
MISC. CIVIL APPLICATION (ST.) NO.9587 OF 2023 IN
FIRST APPEAL NO.948 OF 2018**

(Union of India Vs. Shri Babulal s/o Kosa Uike and anr.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms Anjali Agrawal, Advocate h/f Ms N.G. Choubey, Advocate for the applicant.
Mr. R.G. Bagul, Advocate for the respondents.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- FEBRUARY 16, 2024

The application is filed for condonation of delay which is caused in preferring the review application.

2. In view of the reasons mentioned in the application which are reasonable and satisfactory one, the delay is condoned.

3. The application is allowed and disposed of accordingly.

MISC. CIVIL APPLICATION (ST.) NO.9587 OF 2023

The application is filed for review and modification of judgment dated 27/02/2023.

2. Learned Counsel for the appellant submitted that this Court has awarded the compensation along with the interest @6% per annum. The accident occurred prior to the Notification issued on 22/12/2016, therefore, the respondents are not entitled for any interest.

3. Learned Counsel for respondents also accepted the said position.

4. In view of the judgment of the Hon'ble Apex Court in the case of *Union of India V/s Radha Yadav [2019) 3 SCC 410]* the interest amount is not payable on compensation amount.

5. In view of that, the review application is allowed.

6. The operative portion (ii) of judgment dated 27/02/2023 is corrected as follows :

“(ii) The respondent is directed to pay compensation of Rs.8,00,000/- to the claimants within a period of 60 days.”

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)