



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

RA-CR-15-2024 in
FAO-2437-2008
Date of decision: 20.11.2024

Santosh and others
...Applicants-Appellants
Versus

Union of India
...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Vipul Sharma, Advocate for the applicants-appellants.
Mr. S.K. Sharma, Sr. Panel Counsel for the respondent-UOI.

KARAMJIT SINGH, J. (ORAL)

1. The present application has been filed by applicant-appellants seeking review of the judgment dated 17.11.2023 passed by this Court in FAO-2437-2008 to the extent for grant of interest on the compensation amount at rate of 9% per annum from the date of accident till its realization.
2. The present application is resisted by the Senior Panel Counsel of respondent-Union of India.
3. The brief facts of the case are that applicants-appellants filed claim application before the Railways Claim Tribunal, Chandigarh seeking compensation on account of death of Jai Singh in a railway accident. The claim application was dismissed by the Tribunal. However, the appeal was allowed by this Court vide judgment dated 17.11.2023 and compensation worth Rs.4 lacs was awarded to the applicants-appellants.
4. The counsel for the applicants submits that at the time of



awarding the said compensation, no interest was awarded by this Court. That as per the law laid down by Hon’ble Supreme Court in ***Union of India Vs. Reena Devi 2018 (3) RCR (Civil) 40***, the applicants are entitled to get interest rate of 9% per annum from the date of accident till the realization of the compensation. The only objection raised on behalf of respondent is that no such interest was claimed by the applicants while filing the claim application.

5. I have considered the submissions made by counsel for the parties.
6. Admittedly, Railways Act 1989 is silent about the interest. However, in the light of the decision of Hon’ble Supreme Court in **Reena Devi’s case** (supra), the applicants are entitled to get interest at rate of 9% per annum from the date of claim application till the realization of the amount of compensation. In case, the total amount of interest exceeds Rs.4 lakhs then the total amount of interest to be paid to the applicants-appellants will be restricted to Rs.4 lakhs only. This will be apart from the amount of compensation of Rs.4 lakhs already awarded by this Court vide judgment dated 17.11.2023.
7. The review application is disposed of in aforesaid terms.

20.11.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

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