

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 1394 OF 2009**

Shri. Bhimgonda Devgonda Patil
Age 56 years, Occ. : Service
R/o. : Halondi, Taluka : Hatkanangale
District : Kolhapur.

...Appellant
(Orgi. Claimant)

Versus

1. Balasheb D. Sutar,
Age Major, Occupation : Business
R/o. 10/857-9, Bandgar, Mal.,
Ichalkaranji, Tal. : Hatkanangale,
Dist. : Kolhapur
(Owner of Jeep No. GA-01/J-9399)
2. The New India Assurance Co. Ltd.,
Rajaram Road, Infront of Parvati Talkies,
Kolhapur, District – Kolhapur.
(Insurance Co. of Jeep No. GA-01/J-9399) ...Respondents
(Org. Opp. Nos. 1 and 2)

Mr. Sudhakar G. Thorat, Advocate for the Appellant.
Adv. Jyoti Bajpayee, Advocate for the Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th DECEMBER, 2025.

P.C. :

1. Heard learned counsel for the appellant and learned counsel for the respondent No.2.
2. This appeal is preferred by appellant-claimant against the judgment and order passed by Motor Accident Claims Tribunal, Ichalkaranji (for short 'Tribunal').
3. It is contention of learned counsel for the appellant that Tribunal has awarded compensation of Rs.1,00,000/- but no interest is awarded on it. Hence, requested to allow the appeal.
4. Learned counsel for the respondent No.2- Insurance Company submitted that order passed by Tribunal is well reasoned and no interference is required in it and requested to dismiss the appeal.
5. I have heard both learned counsel, perused the judgment and order passed by the Tribunal.
6. The learned Tribunal has awarded compensation of Rs.1,00,000/- but no interest is awarded while awarding compensation. It is erroneous. Considering this fact, the appellant is entitled for 7.5% interest from the date of filing of claim petition on the compensation amount and hence, I pass following order :

ORDER

- A) The appeal is allowed;
 - B) The appellants is entitled for compensation of Rs.1,00,000/- @ 7.5% p. a. from the date of filing claim petition till realization of the amount.
 - C) The respondent No.2-Insurance Company shall deposit compensation amount along with accrued interest thereon within a period of six weeks after receipt of this order if it is not deposited.
 - D) The appellants-claimants are permitted to withdraw the deposited amount along with interest.
 - E) Record and proceeding be sent back.
7. The appeal is disposed off.

(SHIVKUMAR DIGE, J.)