

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1164 OF 2025

Sandip Babasaheb Dudhal Patil  
Aged : 33 Occu: NIL  
Resident of Dudhal Mala,  
Kupwad, Madhavnagar Road,  
Taluka-Miraj, District-Sangli

THROUGH NEXT FRIEND

Shri. Babasaheb Ishwara Dudhal Patil  
Age: 71 Occu: Retired, Agriculturist  
R/o Rayewadi, Taluka-Kavathe-Mahankal  
District Sangli.

... Appellant

Versus

1. Shri. Kuljitsingh Joginder Singh,  
Major, Occ: Transportation,  
Resident of N.L.2, Building No.2  
R.No.A/2, Sector -15, Nerul,  
Navi Mumbai – 400 706
2. The Oriental Insurance Co. Ltd.  
Office – M.C.D.O. 9, 10  
Homi Modi Station Fort  
Mumbai 25  
(summons to be served on Branch Manager  
Divisional office, Sangli)
3. Devendrakumar Narendra Pal,  
Age : 34, Occu: Driver,  
Resident of Bonipur, Tal. Bambora,  
District – Sitapur (Uttar Pradesh State),  
At present Nerul Navi Mumbai, Thane.
4. Manish Yogesh Bhargav,  
Age: 39, Occu: Service,  
Resident of 1604, E.M.P 48,  
Ever Shinde, Thakur Village,  
Kandivali, Mumbai (East).

Respondents

...

Mr. Sarthak S. Diwan, for the Appellant.

None for the Respondents.

**CORAM : SHIVKUMAR DIGE, J.**

**DATE : 27<sup>th</sup> JUNE, 2025**

**JUDGMENT:-**

1. The issue involved in this Appeal is that the interest is given from the date of order and not from the date of filing of claim petition. It is the contention of learned Counsel for the appellant that the Tribunal has awarded the compensation and interest is given from the date of order but it should be from the date of filing of claim petition. Hence, requested to allow the appeal.

2. Though, the respondent-Insurance Company served, none present for respondent-Insurance Company. Earlier Smt. Poonam Mittal represented the respondent No.2-Insurance Company but thereafter she has discharged herself.

3. As Appeal was filed in the year 2018 and numbered in 2025 hence, I am deciding it on merits.

4. I have heard learned Counsel for the appellant. Perused the judgment and order passed by the Motor Accident Claims Tribunal ('The Tribunal' for short), Sangli. The Tribunal has awarded compensation to the appellant. While awarding interest the Tribunal has awarded interest from the date of order. It is settled

principle of law that it should be from the date of filing of the claim petition.

5. In view of above, I pass the following order.

**ORDER**

- (i) The Appeal is allowed.
- (ii) The appellant is entitled for interest on compensation amount as awarded by the Tribunal from the date of filing of the claim petition till realization of the amount.
- (iii) The Respondent No.2-Insurance Company shall deposit the additional interest amount within a period of four weeks.
- (iv) The appellant is permitted to withdraw the additional interest amount.
- (v) The Appeal is disposed of.

[SHIVKUMAR DIGE, J.]