



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.4465/2024

United India Insurance Co. Ltd., through its Regional Manager, Nagpur

Vs.

Leelabai wd/o Baliram Nagvanshi and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Dr. C.C. Anthony, Advocate for petitioner
Shri Ashok Khadatkhar, Advocate h/f Ms S.W. Deshpande, Advocate for respondent Nos.1 to 6
Shri B.N. Mohata, Advocate for respondent No.7
Shri A.A. Dhawas, Advocate for Intervenor

CORAM : SMT. M.S. JAWALKAR, J.

DATED : 07.05.2025

Heard learned Counsel for respective parties.

2. Learned Counsel for petitioner is ready to deposit the amount of T.D.S. i.e. Rs.56,155/-, in the account of respective parties. However, he is disputing the interest part which is on higher side. It is contention of petitioner that they have deducted tax at source as per the Rules of Income Tax Department, there is no necessity in fact to impose any interest on the said amount.

3. As against this, learned Counsel for respondents submits that as per award they are entitled for this amount and, therefore, also interest thereon.

4. The learned M.A.C.T. have not given any justification for awarding of 9% interest in this matter.

5. In view of the fact that the said amount was towards T.D.S. It also needs to be considered that the

said amount was not received by the claimant. As such, for the sake of equity, it would be appropriate to award 6% interest. Accordingly, the order passed by M.A.C.T. is hereby modified to the extent the awarded interest is reduced to 6%.

6. The amount shall be deposited within a period of four weeks before the M.A.C.T. Court, Amravati.

7. The Writ Petition is disposed of with the above referred modification.

JUDGE

R.S. Sahare