



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**
102+232

**CM-2551-LPA-2025 in/and
LPA-865-2024 (O&M)
Decided on : 26.08.2025**

BHANWARI DEVI AND OTHERS

. . Appellants

Versus

STATE OF HARYANA & ORS

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

PRESENT: Mr. S. S. Sahu, Advocate for the appellants.

Mr. Saurabh Girdhar, AAG, Haryana.

**Mr. R. D. Bawa, Advocate,
Mr. Samuel Gill, Advocate and
Mr. Randhir Bawa, Advocate
for the applicant-respondents No. 2 to 6.**

HARSIMRAN SINGH SETHI , J. (Oral)

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The prayer in the present application filed by respondents No. 2 to 6 is for placing on record the copy of Award dated 24.06.2020 as Annexure A-1.

Keeping in view the averments mentioned in the application, the same is allowed. Copy of Award dated 24.06.2020 as Annexure A-1 is taken on record subject to all just exceptions.



LPA-865-2024

1. In the present appeal, the challenge is to the impugned order dated 11.12.2023 passed by Hon'ble Single Bench of this Court in CWP No. 23262 of 2021 titled as 'Bhanwari Devi and Others versus State of Haryana and others' by which, *ex-gratia* compensation of Rs. 8,31,920/- under the Employees Compensation Act, 1923 (hereinafter referred to '1923 Act'), has been given to the appellants on account of electrocution of Kuldeep Singh on 11.11.2015.
2. Learned counsel for the appellants argues that firstly, the calculation of the said compensation amount of Rs. 8,31,920/- has not been done properly by the authorities concerned. Further, no benefit of interest has been given to the appellants on the delayed payment of said compensation amount which is causing prejudice to the appellant and the same has not been decided by the learned Single Bench while passing the order dated 11.12.2023.
3. Learned counsel appearing on behalf of respondents No. 2 to 6 submits that the claim qua grant of compensation was raised by the appellants only in the year 2020 and the same was decided expeditiously and the benefit of compensation was granted to appellants on 24.06.2020, hence, there has been no delay in disbursing the amount of compensation on the part the respondents so as to allow the claim of the appellants qua grant of interest.
4. We have heard learned counsel for the parties and have gone through the case file with their able assistance.
5. It is a conceded fact that Kuldeep Singh died on 11.11.2015.



The payment of compensation amount has been made to the appellant in accordance to the notification dated 15.07.2019 and as per the said notification, the compensation amount is to be calculated in accordance to the provisions of the 1923 Act.

6. Further, there is no dispute qua the entitlement of the appellants to receive the said compensation amount which amount has been paid by the respondents.

7. The question which is raised before this Court is that whether benefit of interest is to be granted upon the said compensation amount keeping in view the fact that Kuldeep Singh died in the year 2015 and the compensation amount was directed to be released in June, 2020.

8. As per the settled principle of law, settled by this Court in **J.S. Cheema Vs. State of Haryana, 2014(13) RCR (Civil) 355**, wherein it has held that where an amount admissible to an employee, has been retained and used by the employer, upon the release of the said amount, on a later date, the benefit of interest has to be given. The relevant paragraph of J.S. Cheema's case (supra) is as under: -

“The jurisprudential basis for grant of interest is the fact that one person's money has been used by somebody else. It is in that sense rent for the usage of money. If the user is compounded by any negligence on the part of the person with whom the money is lying it may result in higher rate because then it can also include the component of damages (in the form of interest). In the circumstances, even if there is no negligence on the part of the State it cannot be denied that money which rightly belonged to the petitioner was in the custody of the State and was being



used by it.”

9. Keeping in view the aforesaid judgment, the amount payable to the appellants, which is not disputed remained with the respondents-corporation for a period of approximately five years and therefore, the appellants are entitled for grant of interest on the said amount. The said interest is assessed @ 6 % per annum from the date of death of an employee till the actual payment of the same.

10. Learned counsel for the appellant further argues that even the computation of the compensation amount as has been awarded is not correct.

11. It may be noticed that the learned Single Judge while passing the order dated 11.12.2023 has recorded the findings that no material evidence has been brought on record to show that the calculation of the compensation amount admissible to appellants is incorrect. Even during the hearing of the present appeal, no document has been brought on record to underpin the assertion that the calculation of the compensation amount awarded to the appellants is calculated incorrectly or same is inadequate, hence, the said argument of the counsel for the appellant cannot be accepted.

12. Keeping in view the above, **the present appeal is allowed to the extent** that the amount of Rs. 8,31,920/- as has been awarded to the appellants as compensation, the appellant is held entitled for the grant of interest @ 6% per annum on the said amount, which has been released to the appellants as compensation on account of electrocution of Kuldeep Singh from the date of death of Kuldeep Singh till the actual payments were released to appellants.

13. Let the computation of interest be done by the respondents and



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amount so calculated shall be paid to the appellants within a period of **eight weeks** from the date of receipt of copy of this order.

14. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

26.08.2025

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No