



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

231

Date of decision : 12.11.2025

1. FAO-1101-2006 (O&M)

Bhagwati (since deceased) through her LRs Appellant

versus

General Manager Central Coop. Consumer and another

..... Respondent

2. FAO-4552-2005

National Insurance Company Ltd. Appellant

versus

Bhagwati (since deceased) through her LRs and another

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. D.P. Gupta, Advocate and
Mr. Shubham Gupta, Advocate
for the appellant in FAO-4552-2005 and
for respondent No.2 in FAO-1101-2006.

None for the appellant in FAO-1101-2006 and
for the respondents in FAO-4552-2005.

PANKAJ JAIN, J. (Oral)

1. These are cross appeals directed against order dated
20.07.2005 passed by Commissioner under the Workmen's
Compensation Act, 1923.

2. FAO No.1101 of 2006 is at the behest of the claimants
seeking enhancement in the amount of compensation, disputing monthly



salary. FAO No.4552 of 2005 is at the behest of the insurance company wherein the insurance company is disputing its liability to pay statutory interest on the compensation.

3. Counsel for the insurance company is not able to dispute that as per ratio of law laid down by Supreme Court in the case of ***Ved Prakash Garg vs. Prem Devi*** reported as ***1997 AIR (SC) 3854***, the liability to pay interest has to be shouldered by the insurance company.

4. In view thereof, FAO No.4552 of 2005 filed by the insurance company is ordered to be dismissed.

5. The ground of enhancement pleaded by claimants also deserves to be rejected, as the monthly wages of the deceased have been taken as per the notification issued by Central Government under Section 4(1B) of 1923 Act i.e. Rs.4000/- which was prevalent at the time of accident.

6. In view thereof, the appeal preferred by the claimants i.e. FAO No.1101 of 2006 is without merit and the same is ordered to be dismissed.

7. A photocopy of this order be placed on the file of other connected case.

8. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

12.11.2025

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Whether speaking/reasoned :

Yes

Whether Reportable :

No