

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

FAO No.2772 of 2021 (O&M)
Date of decision : 18.02.2026

MUKESH AND ANR

....Appellants

Versus

UNION OF INDIA

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Simranpreet Singh, Advocate for the appellants.

Mr. Arihant Goyal, Advocate for the respondents.

PANKAJ JAIN, J. (ORAL)

CM No.11610-CII of 2021

This is an application filed under Section 5 of Limitation Act seeking condonation of delay of 444 days in filing the instant appeal.

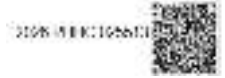
For the reasons recorded in the application, this Court is satisfied that the applicants/appellants have made out a sufficient cause for condonation of delay.

Consequently, the present application is allowed. The delay of 444 days in filing the instant appeal is hereby condoned.

FAO No.2772 of 2021 (O&M)

The only issue raised in the present appeal is regarding grant of interest on the compensation awarded by the Tribunal.

2. The Tribunal while awarding compensation observed as under:

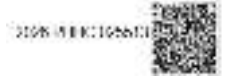


I. So far as the payment of interest as well as award of Rs. 8,00,000/- is concerned, it is relevant to mention here that in this case, the incident occurred prior to 1.1.2017 (Date of enhancement of compensation from Rs. 4 lacs to Rs. 8 lacs) and the amount of Rs. 4 lacs with interest @ 9% from the date of accident will yield less than Rs. 4 lacs towards component of interest and the total will be less than Rs. 8lacs, so the applicants shall be entitled for compensation to the tune of Rs.8,00,000/- (Rupees Eight lacs only) being the higher amount with interest @ 9% per annum from the date of award till the date of payment, in view of para15.4 of judgment titled as Union of India v. Rina Devi (Civil Appeal No. 4945of 2018) decided on 9.5.2018 by Hon'ble Supreme Court, which has been followed by Hon'ble Principal Bench, RCT, Delhi, while delivering its judgment in the case titled as Smt. Pappi and others v. Union of India (OAIU/1037/2011 decided on 10th of May, 2018) (Para No. 6).

II. In the result, the original application is allowed on contest and an award for Rs. 8,00,000/- (Rupees Eight lacs only) proportionately along with simple interest @ 9% per annum from the date of this award till payment, is made in favour of the applicants and against the respondent. The amount of compensation shall be payable by the respondent to the applicants in equal shares i.e. Rs. 4,00,000/- (Rupees Four lacs only) each.

III. Out of the compensation amount payable to the applicants, initially a sum of Rs. 1,00,000/- (Rupees One lac only) each along with interest accrued thereon shall be released to them immediately through ECS and the balance amount of Rs.3,00,000/- (Rupees Three lacs only) each along with interest shall be invested in the FDRs in their favour, for a period of three years with liberty to them to withdraw quarterly interest thereon. On maturity, the applicants can withdraw the amount without permission of the Court.

IV. The applicants are directed to furnish their Bank account particulars of the Bank(s) situated nearer to the place of their residence, along with relevant documents like copies of Bank Pass

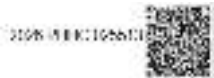


Books, Identity Proofs etc. if already not furnished, to the Presenting Officer of this Tribunal within a period of 15 days from today and thereafter, the respondent is allowed 60 days time to comply with the terms of the award.”

3. Keeping in view ratio of law laid down by Supreme Court in the case of **‘Union of India vs. Rina Devi’, (2019) 3 SCC 572** since the date of accident is 30th April, 2017, unamended schedule has no application to the present case. Tribunal erred in holding that the compensation has to be Rs.4.00 lacs with interest or Rs.8.00 lacs whichever is higher.

4. The impugned order is modified to the following extent:

- (i) The appellants are entitled to compensation of Rs.8.00 lacs as per the amended schedule along with interest @ 7% per annum from the date of filing of the claim application till the date of actual realization.
- (ii) Since both the appellants are major, the amount is ordered to be released forthwith.
- (iii) The appellants shall furnish their account details before the Tribunal by filing appropriate application within a period of 2 weeks from today. The amount of compensation along with interest as awarded herein-above shall be disbursed to their bank accounts within a period of 4 weeks from the date of filing of said application. In case, the respondents failed to transfer the amount within the time period stipulated herein-above, the



appellants shall also be entitled for interest @ 9% per annum for any further delay.

5. With the aforesaid modification in the impugned award, the appeal is disposed off.

February 18, 2026
Dpr

(Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No