



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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CR-7767-2025(O&M)
Date of decision: 01.04.2026

Sushma Sahni & Others

...Petitioner(s)

Vs.

Boinder Nath Bakshi & Others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Rahul Pathania, Advocate
for the petitioners.

NIDHI GUPTA, J.

Present Revision Petition under Article 227 of the Constitution of India has been filed by the claimants laying challenge to the order dated 15.05.2025 (Annexure P1) passed by learned Executing Court/MACT Ambala, whereby Execution Petition filed by the petitioners/claimants, has been dismissed.

2. It is inter alia submitted by learned counsel for the petitioners that the learned Executing Court was in error in dismissing the Execution Petition filed by the petitioners as it failed to appreciate that the learned MACT, Ambala vide Award dated 17.02.1995 had awarded compensation of Rs.4,34,000/- along with interest of 12% per annum to the petitioners. It is submitted that the petitioners had sought enhancement of the said compensation before this



Court by way of FAO-737-1996 titled as “Sushma Sahni & Others Vs. Boinder Nath Bakshi & Others”. The said FAO came to be allowed by this Court vide order dated 26.02.2014 (Annexure P2) and compensation was enhanced to Rs.6,04,800/-. The petitioners had then preferred a Review Application bearing RA-CR-119-2014, as amount under the conventional heads had not been awarded vide order dated 26.02.2014. Accordingly, vide order dated 20.08.2014 (Annexure P3), the said Review Application also came to be allowed, and compensation was further enhanced to Rs.7,11,600/-.

3. It is submitted that thereafter, the petitioners had filed Execution Application before the learned MACT, Ambala for enhancement of compensation of Rs.2,77,600/- along with interest @ 12% per annum, which comes to Rs.12,71,088/-. However, the Insurance Company only deposited Rs.7,27,490/- and balance amount of Rs.5,82,910/- was not paid by the Insurance Company.

4. Learned counsel submits that therefore, the petitioners had filed another/present Execution Application before the MACT, Ambala claiming the amount of Rs.5,82,910/- i.e. the balance amount which is to be paid by the Insurance Company. The Insurance Company had placed on file the calculation contending that the entire amount with interest has been paid to the claimants; and accordingly, the Execution Petition has been dismissed.

5. It is contended that the said Execution Application has been dismissed by the learned Executing Court vide the impugned order without



appreciating the aforesaid facts. It is submitted that as the Tribunal vide Award dated 17.02.1995 had awarded compensation to the petitioners along with interest @ 12% per annum, the Insurance Company was also liable to pay the said interest to the petitioners from 18.12.1992 till date on the enhanced amount. However, the learned Executing Court has failed to appreciate this aspect of the matter and has wrongly dismissed the Review Application of the petitioners. It is accordingly prayed that the impugned order be set aside.

6. No other argument is made on behalf of the petitioners. I have heard learned counsel and perused the case file in great detail. I find merit in the submissions advanced on behalf of the petitioners.

7. The petitioners are basing their claim on the Award dated 17.02.1995 whereby the MACT, Ambala had awarded compensation of Rs.4,34,000/- along with interest @ 12% per annum. However, the petitioners have failed to place on record the said Award before this Court. Therefore, there is nothing on record to substantiate the assertion of the petitioners that the MACT, Ambala had awarded the compensation of ₹4,34,000/- along with interest @ 12% per annum.

8. A further perusal of the case file, in particular, the order dated 26.02.2014 (Annexure P2) passed by this Court in FAO-737-1996, shows that compensation was enhanced to Rs.6,04,800/- *“with interest as awarded by the Tribunal”*. In the order dated 20.08.2014 (Annexure P3) passed in Review Application, this Court has directed as follows:-



“Regarding loss of consortium and loss of love and affection and funeral expenses etc., a consolidated amount of Rs.1,50,000/- is awarded and the total amount of compensation on account of death of Vipin Kumar Sahni will now be Rs.7,11,600/-.”

9. No mention is made of any interest upon the awarded amount. Thus, the sole point for determination before this Court is whether the MACT, Ambala had awarded interest @ 12% per annum along with the compensation amount. The petitioners have failed to place on record copy of the Award dated 17.02.1995. In this view of the matter, no error can be found in the impugned order. The Executing Court has therefore correctly recorded that:-

“After hearing learned counsel for both the parties, this court finds that as per orders of the Hon'ble High Court and the award dated 17.02.1995, the entire amount has been paid by the JDs. So far as the question regarding interest in the review petition is concerned, nothing is mentioned by the Hon'ble High Court in the aforesaid order.”

10. In view of the above, present petition stands **dismissed**.
11. Pending application(s) if any also stand(s) disposed of.

01.04.2026
Sunena

(Nidhi Gupta)
Judge

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No