



FAO-830-2022 (O&M)

218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-830-2022 (O&M)

Date of decision : 28.02.2025

Sunita & ors. Appellants

Versus

Union of India Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Subhash Sachdeva, Advocate
for the appellant.

Mr. Arvind Seth, Sr. Panel Counsel
for the respondent-UOI.

PANKAJ JAIN, J. (ORAL)

1 The only issue is with respect to the period for which the interest needs to be awarded on the compensation payable to the claimants.

2 Tribunal has granted interest @6% from the date of order till date of payment.

3 Supreme Court in the case of *Union of India vs. Rina Devi*, (2019) 3 SCC 572, observed as under :-

“Re: (iv) Rate of Interest

18. As already observed, though this Court in Thazhath Purayil Sarabi (supra) held that rate of interest has to be at the rate of 6% from the date of application till the date of the award and 9% thereafter and 9% rate of interest was awarded from the date of application in Mohamadi (supra), rate of interest has to be reasonable rate at par with accident claim cases. We are of the view that in absence of any specific statutory provision, interest can be awarded from the date of accident itself when the liability



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of the Railways arises upto the date of payment, without any difference in the stages. Legal position in this regard is at par with the cases of accident claims under the Motor Vehicles Act, 1988. Conflicting views stand resolved in this manner.

4 In view of above, the claimants are held entitled for interest @9% on the amount of compensation awarded from the date of accident till the date of actual realization. The impugned award passed by RCT is ordered to be modified accordingly.

5 Appeal stands allowed.

28.02.2025

Pooja Sharma-I

**(PANKAJ JAIN)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No