
(2015) 10 JH CK 0055
In the Jharkhand High Court
Case No : M.A. No. 47 of 2015

Islam Ansari

APPELLANT

Vs

Union of India

RESPONDENT

Date of Decision : 06-10-2015

Acts Referred:

Citation : (2015) 4 AJR 425

Hon'ble Judges : Dhruv Narayan Upadhyay, J.

Bench : Single Bench

Advocate : A.K. Rashidi, for the Appellant; Vijoy Kumar Sinha, ASC, for the Respondent

Final Decision : Allowed

Judgement

Dhruv Narayan Upadhyay, J.—This appeal has been preferred against the judgment dated 28th November, 2014 passed by Railway Claims Tribunal, Ranchi Bench in connection with Case No. TAU/RNC/2002/0060, whereby the appellant has been directed to be paid Rs. 3.20 lacs by the Respondent-Railway in lieu of injuries sustained in his left leg and thigh, which were amputated, while he was travelling in Train No. 301 UP Asansol-Varanasi Passenger, which met with an accident between Keshwari Block Halt and Chaubey Station. The amount of compensation so awarded has been directed to be paid to the appellant within three months from the date of submitting accounts particulars to Railways failing which interest will be paid at the rate of 9% per annum simple till the date of actual payment. This appeal has been filed to the limited extent that interest on awarded amount has not been directed to be paid from the date of filing of claim application.

2. Learned counsel for the appellant submits that in view of judgment of the Hon'ble Supreme Court rendered in the case of Union of India (UOI) Vs. Prabhakaran Vijaya Kumar and Others, , the claimant/appellant is entitled to get interest @ 9% per annum from the date of filing of claim application.

3. Counsel appearing on behalf of Railway has opposed this appeal, but has not disputed the said contentions.

4. Relying on the judgment of the Hon''ble Supreme Court in the case of Union of India (UOI) Vs. Prabhakaran Vijaya Kumar and Others, , interest @ 9% per annum, on the awarded amount, shall be paid to the claimant/appellant from the date of filing of claim application till the final payment. Accordingly, this appeal stands allowed.