
(2007) 02 AHC CK 0249
In the Allahabad High Court

Santosh and Others

APPELLANT

Vs

Harish Chander and Another

RESPONDENT

Date of Decision : 14-02-2007

Acts Referred:

Employees Compensation Act, 1923 — Section 4A

Citation : (2007) 2 ACC 749

Hon'ble Judges : G.P. Srivastava, J

Bench : Single Bench

Final Decision : Allowed

Judgement

G.P. Srivastava, J.—Heard learned Counsel for the appellant and learned Counsel for the respondents.

2. It is argued by learned Counsel for the appellant that the Workmen's Compensation Commissioner vide order dated 12.2.2001 has not directed that the interest shall be paid on the compensation award to the appellant. u/s 4A(3) (a) of the Workmen's Compensation Act, 1923 it is mandatory that the employer shall in addition to the amount of the arrears, pay simple interest thereon at the rate of twelve per cent per annum or at such higher rate not exceeding maximum of lending rates of any scheduled bank as may be specified by the Central Government, by notification in the Official Gazette, on the amount due.

3. In the instant case the Workmen's Compensation Commissioner has awarded a sum of Rs. 2,01,660 as there is no observation regarding interest. The appeal is allowed.

4. The impugned order passed by Workmen's Compensation Commissioner is modified and added that the employer shall pay interest on the awarded amount at the rate of 12% per annum from the date of the order.