

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.514 OF 2016

(Arising out of SLP (C) No.2266/2015 @ SLP..CC 910/2016)

JASHODA KUMARI PRADHAN & ANR.

... APPELLANT(S)

VS.

THE DIVISIONAL MANAGER, THE UNITED
INDIA INSURANCE COMPANY LTD. & ANR. .

... RESPONDENT(S)

J U D G M E N T

ANIL R. DAVE, J.

1. Leave granted.

2. Heard the learned counsel.

3. The issue involved in the appeal is with regard to payment of interest, to the legal heirs of the deceased, under the provisions of Workmen Compensation Act, 1923.

4. The Assistant Labour Commissioner-cum-Commissioner for Workmen's Compensation, Odisha, Bhubaneswar, in W.C. Case No.122/2009 dated 18th October, 2014, had awarded a sum of Rs.3,06,180/- (Rupees Three Lakhs Six Thousand One Hundred Eighty only) by way of compensation to the heirs of a deceased workman along with interest thereon @12% per annum. The said Award was challenged before the High Court and the High Court allowed the appeal filed by claimants deleting the provisions with regard to payment of interest.

5. We fail to see the reason for which the High Court denied payment of interest to the legal heirs. Therefore, we set aside the impugned judgment passed by the High Court with regard to non-payment of interest and restore the Award dated 18th October, 2014, directing the respondent to pay interest, as awarded by the Assistant Labour Commissioner-cum-Commissioner. The amount shall be paid by the respondent-Insurance Company to the appellants within eight weeks from the date of receipt of this order.

6. If the respondent-Insurance Company is aggrieved by this order, it would be open to file an application so that the matter can be reconsidered.

7. Intimation of this order be forwarded to the respondents.

8. With the above directions, the appeal is disposed of as allowed with no order as to costs. Pending application, if any, stands disposed of.

.....J.
[ANIL R. DAVE]

.....J.
[ADARSH KUMAR GOEL]

New Delhi;
22nd January, 2016.