

GAHC010037792024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

MFA/64/2024

MUNNI SAHA@ MUNNI DEVI
R/O HOUSE NO- 143 BEHARBARI
BELTOLA
P.S.- BASISTHA
GUWAHATI- 781029
PRESENTLY RESIDENT OF BAIRIA MISHRA KE MATHIA
BAIRIA
DIST.- BALLIA
UTTAR PRADESH PIN- 277201.

VERSUS

LAXMI DEVI RAY AND ANR H
W/O SHRI RAJU RAY
R/O C/O K.C. GOGOI
HOUSE NO. 6
P.O.- BELTOLA
GUWAHATI- 781028
KAMRUP (M)
ASSAM.

2:M/S UNIVERSAL SOMPO GENERAL INSURANCE CO. LTD.
BRANCH OFFICE AT 6TH FLOOR
DANDI TOWER
SWARAJ NAGAR
SARUMOTORIA
GUWAHATI
ASSAM 781005.

Advocate for : MR. R K JAIN

Advocate for : appearing for LAXMI DEVI RAY AND ANR H

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : -13.12.2024

Heard Mr.R.K.Jain, learned counsel for the appellant.

By filing this appeal under Section 30 of the Employee's Compensation Act, 1923, the appellant has challenged the Judgment and Award dated 28.11.2022 passed by the learned Commissioner, Employees Compensation, Kamrup (M), Guwahati in W.C. Case No. 63/2013.

Issue notice to the respondents.

Appellant shall take steps for service of notice on respondents by registered post with A/D as well as by usual process, returnable within four weeks. Steps within 5 days.

The appeal is admitted on the following substantial questions of law:

- “ 1. Whether the learned Commissioner committed error and illegality in awarding interest from the date of taking evidence?*
- 2. What constitute as due date from which date the interest is to be calculated and awarded:*
- 3. Whether the learned Commissioner has awarded just and adjacent compensation to the appellant/claimant.*

The appellant is at liberty to raise any other substantial question of law at the time of hearing of the appeal.

Call for the records of the Tribunal.

Registry to call for the records.

List after four weeks.

JUDGE

Comparing Assistant