

ITEM NO.61

COURT NO.9

SECTION XIIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 16736/2013
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 19/10/2011
IN CMA NO. 794/2009 PASSED BY THE HIGH COURT OF A.P AT HYDERABAD)

MEDAPATI SUBBA REDDY AND ORS.

Petitioner(s)

VERSUS

UNION OF INDIA REP. BY
GENERAL MANAGER, SOUTH CENTRAL
RAILWAY, SECUNDERABAD

Respondent(s)

(WITH APPLN. (S) FOR C/DELAY IN FILING SLP AND INTERIM RELIEF AND
OFFICE REPORT)

Date : 30/07/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s)

Mr. V. Sridhar Reddy, Adv.
Mr. V. N. Raghupathy, Adv.

For Respondent(s)

Mr. Ranjit Kumar, SG
Mr. Sridhar Potaraju, Adv.
Mr. Arjun Singh, Adv.
Ms. Alka Agrawal, Adv.
Mr. Shreekant N. Terdal, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

Leave granted.

The appeal is allowed in terms of the signed order.

[VINOD LAKHINA]

[SNEH LATA SHARMA]

Signature Not Verified

Digitally signed by

COURT MASTER

COURT MASTER

Vinod Lakhina

Date: 2014.08.02

10:34:29 IST

[SIGNED ORDER IS PLACED ON THE FILE]

Reason:

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7110 OF 2014

[Arising out of Special Leave Petition (Civil)

No.16736 of 2013]

MEDAPATI SUBBA REDDY AND ORS.

...APPELLANTS

VERSUS

UNION OF INDIA REP. BY
GENERAL MANAGER, SOUTH CENTRAL
RAILWAY, SECUNDERABAD

...RESPONDENT

ORDER

Delay condoned.

Leave granted.

For the death of Medapati Maheswara Reddy, who died in a railway accident on 27th May, 2003, the legal heirs of the deceased were granted compensation of Rs.4 lakhs (Rupees Four lakh) under Section 124 of the Railways Act, 1989 (for short "the Act"). The aforesaid award being under Section 124 of the Act was in the nature of an award based on 'no fault' liability. The High Court while making the award, however, directed interest to be paid from the date of the order.

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Aggrieved, the legal heirs of the deceased are in appeal contending that interest should have been awarded from the date of the claim i.e. 11th August, 2003.

After hearing the learned counsel for the parties, we find no good reason as to why the High Court had thought it proper to award interest from the date of its order instead of the date of the claim.

We, therefore, allow the appeal; set aside the order of the High Court insofar as grant of interest is concerned and award interest to the appellants at the rate of 12% per annum to be paid from the date of the claim i.e. 11th August,

2003 till the date of payment.

The appeal is allowed in the above terms.

.....,J.
(RANJAN GOGOI)

.....,J.
(S.A. BOBDE)

NEW DELHI
JULY 30, 2014