

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).32173-32174/2010

(From the judgement and order dated 19/10/2009 in RP No. 1220/2009 & MFA No. 1266/1995 of The HIGH COURT OF KERALA AT ERNAKULAM)

V.A.JACOB

Petitioner(s)

VERSUS

JEEBOY THOMAS &amp; ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP and permission to file additional documents)

Date: 02/05/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA

HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. Mohit Abraham, Adv.  
Mr. Sarwar Mitter, Adv.  
Ms. Shiwani Chough, Adv.  
for M/S Mitter & Mitter Co.,Adv.

For Respondent(s) Mr. S.L. Gupta, Adv.  
Mr. Goodwill Indeevar, Adv.  
Mr. Rakesh Ranjan Mishra, Adv.

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

Delay condoned.

Leave granted.

The appeals are allowed in terms of the signed order.

(DEEPAK MANSUKHANI)

Court Master

(The signed order is placed on the file)

(RENU DIWAN)

Court Master

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 3875-3876 OF 2011  
(Arising out of SLP(C) Nos. 32173-32174 of 2010)

V.A.JACOB

Appellant(s)

VERSUS

JEEBOY THOMAS & ORS.

Respondent(s)

O R D E R

Delay condoned.

Leave granted.

Heard learned counsel for the parties.

The only question on which notice was issued is with regard to issue of payment of interest. The issue is as to whether the same should be paid from the date of the award or from the date of filing of the application. There are a number of cases decided by this Court, where it is said that if in case compensation is awarded, the same could be granted from the date of the application. In this connection, reference may be made to a decision of this Court in Bijoy Kumar Dugar Vs. Bidya Dhar Dutta & Others reported in 2006(3)SCC 242.

Learned counsel for the respondents has submitted that there was delay in filing the application seeking for the compensation. However, the fact remains that such delay although originally was there but was later on condoned and compensation was directed to be paid.

Considering the facts that only an amount of Rs. 1,03,250 has been awarded by the High Court to be paid, we direct that interest to be paid on the aforesaid amount at the rate of 7% from the date of filing of the application. The impugned judgment and order is modified to the aforesaid extent.

The appeals are allowed in terms of the aforesaid order.

.....J.  
(DR. MUKUNDAKAM SHRMA)

.....J.  
(ANIL R. DAVE)

NEW DELHI  
MAY 02, 2011.