

Karnataka High Court

Smt Shashikala D/O K Amarnath vs Mr D N Shashidhar on 18 December, 2008

Author: Subhash B.Adh

IN THE HIGH COURT OF KARNATAKA AT BANGALORE : J-1 :

DATED THIS 18<sup>th</sup> DAY OF DECEMBER 2008

BEFORE

THE HON'BLE MR. JUSTICE SUSAGSÉWÉ. AN :f

MISCELLANEOUS FIRST APPEAL §iQ,59240 BETWEEN; ' SMT SHASHIKALA D/OKAMARNATH AGED ABOUT 27 YEARS SRISRIKANTH 3- 5 'V V:

S/OKAMARNATH \_ \_ 4.

AGED sax smTHosH. V -> S/OKAMARN-ATH' \_ \* AGED A3oz3I\_21 Vegas', »- ' APPELLANTS 1"10A3 Arie R/A7'~"NO.3G!31 ' V' - RAGHA\feI'4DRiA coL<5I\i\*{" 'V \_&wN.L?:é.;

--- imp N SHASHEDHAR \_ 3/o as NAGARAJ ' \_ =ND.--4\*32, RAJASHREE MARKET ELANGALORE ---- 569 002 . C} §AMARA}.P1'7,' 5?' MAIN, 5?" caoss BANGALORE ».-"5§">.{ } f318 ...APPELLANTS (£3.-Y 'EMT; Y> EALPANA, ADVGCATE) "NEW INDIA AESSURANCE co urn NQ346, 2\*" FLOOR, MANANDI COURT, 27?" (Ross JAYANAGAR 3"" BLOCK BANGALORE »- 560 an

3. This Appeal is directed against the award dated 5.7.2005 passed in MVC n9b,3219/--:t\$9'9f~\_.nn=:th--e it fiie of the MACT, Bangaiore, only against the graiént. i'nteree\_VtA from the date of evidence instead af granting the date of petition.

4. Learned counsel fe'r.\_z'th\_e".Vaps§eila~nLte:"enbmitted that the Tribunal without any jus:tifi.'.:::atieonv~. the grant of interest from thedateitofvVcor'innencernent""ef evidence. He further subr,nittmedi\* jciaiimantisiiavre entitled to interest from the date uef is not disputed by the I other side, \_ isviidnetkdnoiivn as to why the Tribunal has restricted the §:~en't\_ef'i:ntverestV"from the date of evidence instead of v'v?'et.\_grenting""the'interest from the date of petition, whereas the Litcieiirniaizteauare' entitled to interest from the date of petition iifrdm the date of commencement of evidence. (' r ¢-- \ ,4, with this rnodifica□on, this Appeal is partly The ciaimants are entitled to interest on~th.e'cof□\$eheatie'r:.'!\_j;. amount from the date of petition til! reali§;a□efiT." KM