

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 2566 OF 2020
(ARISING OUT OF SLP(C) No.26723/2018)

MOHD. YUSUF

APPELLANT(S)

VERSUS

UNION OF INDIA

RESPONDENT(S)

O R D E R

Leave granted.

The facts in short indicate that the appellant's son, daughter-in-law along with two minor children were travelling from Firozabad to Delhi and they all died due to collision between Kalindi Express and Purushotam Express near Firozabad.

The present appeal is filed against the order dated 06.10.2016 passed by the High Court of Judicature of Allahabad, Lucknow Bench, Lucknow passed in FAF0 No.173/1996, in which the compensation was claimed on account of the death of Master Mahfooz Alam, aged two years, who was the grandchild of the appellant.

The only question agitated in the appeal is about the payment of interest.

The High Court has awarded compensation of Rs.2,00,000/- (Rupees Two Lac), however, the interest was not granted with respect to the claim petition filed under the provisions of Section 123 of the Railways Act, 1989, on account of death of a child of two years, total compensation of Rs.2,00,000/- (Rupees Two Lac) has

been granted without interest.

We award interest @ 7.5% per annum from the date of the order passed by the Railway Claims Tribunal till realization. We have ordered this in the peculiar facts and circumstances of the case.

The appeal is allowed to the aforesaid extent.

Pending application(s), if any, shall stand disposed of.

.....J.
[ARUN MISHRA]

.....J.
[S. ABDUL NAZEER]

.....J.
[INDIRA BANERJEE]

NEW DELHI;
JUNE 12, 2020.

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 (C) No(s). 26723/2018

(Arising out of impugned final judgment and order dated 06-10-2016 in FAFO No. 173/1996 passed by the High Court of Judicature at Allahabad, Lucknow Bench)

MOHD. YUSUF

PETITIONER(S)

VERSUS

UNION OF INDIA

RESPONDENT(S)

Date : 12-06-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Mr. Jagdish Kumar Chawla, AOR

For Respondent(s) Mr. Vikramajit Banerjee, ASG
Ms. Swarupama Chaturvedi, Adv.
Mr. Raj Bahadur Yadav, AOR

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

Leave granted.

The appeal is allowed, in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(JAGDISH CHANDER)
ASSISTANT REGISTRAR

(Signed order is placed on the file)