

IN THE HIGH COURT OF KARNATAKA
GULBARGA BENCH

DATED: THIS THE 29TH DAY OF NOVEMBER, 2013

BEFORE

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH

MFA NO.30069 OF 2011 (WC)

BETWEEN

1. Haseena Begum W/o late Tajuddin
Age: 50 years, Occ: Household,
2. Shakil S/o Late Tajuddin,
Age: 18 years, Occ: Nil,
3. Sirin D/o Late Tajuddin,
Age: 16 years, Occ: Nil,
4. Adil S/o Late Tajuddin,
Age: 14 years, Occ: Nil,
5. Sohil S/o Late Tajuddin,
Age: 13 years, Occ: Nil.

Appellants No.3 to 5 are minors, under care
and custody of their natural mother appellant
No.1.

All are residents of Khaja colony, Gulbarga.

(By Sri.S.G.Patil Okaly, Advocate)

...Appellants

AND

1. Yusufadoni Adoni,
Age: major, Occ: Owner of lorry,
R/o Dharagiri Galli,
Basava Kalyan, Dist. Bidar.
2. The Divisional Manager,
M/s Shriram General Insurance Co. Ltd.,
Gulbarga.

...RESPONDENT

(Smt.Sangeeta Bhadrashetty, Advocate for R2)
(Notice to R1 dispensed with v/o
dated 14.08.2013.

THIS MFA FILED U/S 30 (1) OF W.C. ACT AGAINST THE JUDGMENT AND AWARD DT. 08.09.2010 PASSED IN WC/CR/NO:52/2009 ON THE FILE OF THE LABOUR OFFICER AND COMMISSIONER FOR WORKMEN COMPENSATION AT GULBARGA PARTLY ALLOWING THE CLAIM PETITION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS MFA IS COMING ON FOR ADMISSION, THIS DAY, THE COURT DELIVERED THE FOLLOWING:

JUDGMENT

This appeal is by the claimants against the award passed by the Commissioner for Workmen's Compensation, Gulbarga in CR-52/2009 dated 08.09.2010.

2. The claimants are the legal representatives of the deceased-Tajuddin. The deceased died in the course of employment on 03/04.04.2009. After inquiry, the Commissioner awarded a compensation of Rs.2,34,820/- with simple interest from the date of the order.

3. The grievance of the appellants is that the death of the deceased is during April 2009 whereas the award is passed during 2010. The interest ought to have been awarded from the date of accident/death.

4. Having heard, in modification of the award, the claimants are entitled for compensation of Rs.2,34,820/- with interest @ 12% from one month after the date of accident. Accordingly, this appeal is allowed.

**Sd/-
JUDGE**

nsp