

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Civil Review No.99 of 2017
With
I.A. No.10038 of 2019

Union of India through General Manager, Eastern
Railway, Kolkata **Petitioner**

Versus

Smt. Sangita Devi & Ors. **Opp. Parties**

CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA

For the Petitioner :Mr. Gautam Rakesh, Advocate
For the O.Ps. :

05/Dated: 25.10.2019
I.A. No.10038 of 2019

1. This interlocutory application has been filed under Section 5 of the Limitation Act for condoning the delay of 48 days in preferring the review application.
2. Heard. In view of the reasons assigned in para 3 and 4 of the supporting affidavit, sufficient cause and reasonable explanation is made out. Accordingly delay is condoned.
3. I.A. No.10038 of 2019 stands allowed.

Civil Review No.99 of 2017

1. The instant review application has been filed for reviewing the order and judgment dated 31.08.2017 passed in Misc. Appeal no.96 of 2017 whereby the petitioner has been directed to pay the interest @ 9 % on the awarded compensation from the date of filing of the claim application, till the date of realization.
2. Learned counsel has relied on the decision of the Supreme Court rendered in the case of ***Thazhathe Purayil Sarabi Vs. Union of India; (2009) 7 SCC 372*** and submitted that the interest @ 9 % is exorbitant and it should be reduced to @ 6 % per annum. That there was no laches on the part of the respondent-railways. The interest of 9 % be reduced to 6 % since there has been no fault on laches on the part of the respondent in disposal of the claim application.

3. Heard. In view of the decision of the Supreme Court in the case of ***N. Parameshwaran Pillai Vs. Union of India; (2002) 4 SCC 306***; the interest @ 9 % ordered to be paid by the respondent/petitioner is neither exorbitant nor excessive, and there is no error apparent on the face of the order requiring review by this Court.

4. In the result, this petition is, hereby, dismissed.

(AMITAV K. GUPTA, J.)

Rohit /-