

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGSPetition(s) for Special Leave to Appeal (Civil)...../2009
CC 475/2009(From the judgement and order dated 05/09/2008 in MFA No. 137/2008 of The
HIGH COURT OF KERALA AT ERNAKULAM)

NATIONAL INSURANCE CO.LTD.

Petitioner(s)

VERSUS

C.RAMAKUTTY & ANR.

Respondent(s)

(With appln(s) for c/delay in filing SLP and office report)

Date: 23/01/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Atul Nanda,Adv.

Ms. Rameeza Hakeem,Adv.

Mr. Sanjay Bhardwaj,Adv.for

M/S Law Associates & Co.,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the parties.

It appears that in Muttulal vs. Radhe Lal (AIR 1974
(SC) 1596) it was held by this Court that the interest under Sec. 4-
A(3) of the Workmen's Compensation Act, 1923 (in short 'The Act')
will be payable from the date of accident. In National Insurance Co.
Ltd. vs.

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Musabir Ahmad & Anr. [(2007) 2 SCC 349] analyzing the true scope
and ambit of the expression 'falls due' it was held that interest was
to be calculated from the date of determination of the amount of
compensation. There is apparent conflict in the view expressed in
Pratap Narain Singh Deo case (supra) and Musabir Ahmad case
(supra). In that view of the matter we refer the case to a Larger
Bench.

Records be placed before the Hon'ble the Chief Justice of

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