

THE HIGH COURT OF TRIPURA
AGARTALA

MFA(WC) NO. 22 OF 2008

Sri Abhijit Barman,
S/O, Late Subodh Barman,
Vill.-Badharghat, Netajipalli,
Dist.-West Tripura.

..... **Claimant-Appellant.**

- V e r s u s -

1. Sri Chandan Banik,
S/O. Shri Krishnadas Banik,
Vill-A.D. Nagar,
Near Modern Club (Nagerjala),
P.S. West Agartala,
Dist.- Tripura West.
(Owner of TR-01C-1917, Auto Van)
2. The Oriental Insurance Company Ltd.,
Represented by Divisional Manager,
44/2, Central Road, Agartala.

..... **O.P.-Respondents.**

BEFORE
HON'BLE THE CHIEF JUSTICE MR. DEEPAK GUPTA

For the appellant : None.

For the respondents : None.

Date of hearing and
delivery of judgment
and order. : 06.02.2015.

Whether fit for reporting : **NO.**

JUDGMENT & ORDER(ORAL)

Sri A.L. Saha, learned counsel, was appearing on behalf of the appellant but on 16-06-2014 sought leave to withdraw from the case. Thereafter, notice was issued to the appellant Sri Abhijit Barman informing him that his counsel has

withdrawn and he may make arrangements for his representation in Court.

2. Notice has been duly served upon the appellant but none has appeared for him despite such notice. It is apparent that he is not interested in continuing with the litigation.

3. I have gone through the order passed by the learned Commissioner, Workmen's Compensation whereby the claim petition was rejected on the ground that no disability has been proved on record.

4. Compensation under the Workmen's Compensation Act in case of injuries can be awarded only in case there is some disability. If there is no disability, compensation cannot be awarded. Now the Act has been amended whereby actual medical expenses can be awarded but at the time when the accident took place even medical expenses could not be awarded under the Workmen's Compensation Act and only loss of income on account of disability could be awarded.

5. Therefore, I find that even on merits there is no substance in the appeal, which is accordingly dismissed.

Send down the LCRs forthwith.

CHIEF JUSTICE