

THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

FIRST APPEAL NO. 154 OF 2001

The Marathwada Agricultural University,
Parbhani, through its Registrar.

... **APPELLANT**
(Original Respondent)

VERSUS

1. Maruti Rama Guge,
Age: 38 years, Occu: Service,
R/o. Parbhani, Tal & Dist: Parbhani,
Through CJSD, Parbhani.
- 2 Bajrang S/o. Rama Guge,
Age: 35 years, Occu: Agriculture,
R/o. Parbhani, Tal & Dist: Parbhani.

Both are resided at Hamalpura,
Near Railway Patri, Parbhani.

... **RESPONDENTS**
(Original Petitioners)

Mr. D.R. Irale-Patil, Advocate for the Appellant.

None for the Respondents.

CORAM : **N. W. SAMBRE, J.**

DATE : 06th August, 2015.

ORAL JUDGMENT:

1 Heard Mr.D.R.Irale-Patil, learned counsel for the
Appellant. None present for the Respondents.

2 The appeal is by the statutory body questioning the legality and validity of award dated 29th January, 2001, by the Workmen's Compensation Commission awarding compensation of Rs.56,935/- to the claimants alongwith interest at the rate of 6% per annum from 18th June, 1997. The facts necessary for deciding the present appeal, are as under:

The claimants' mother namely Kavalabai w/o Rama Guge, was employed as casual labour in the Agronomy Department of the Appellant – University and when she reported for work on 14th April, 1997, at the time of Role Call, she has started feeling giddiness and subsequently expired.

The said was the cause for referring the claim petition under Section 30 of the Workmen's Compensation Act.

3 The Compensation Commissioner having regard to the pleadings and evidence brought before it, has awarded compensation referred (supra). The learned counsel for the Appellant has made two fold contentions (i) that, whether the provisions of the Workmen's Compensation Act would be made applicable to the casual labour and if the claimants were not dependent (having independent source of income) entitled to claim

compensation.

4 In my opinion, the present appeal on both these counts are liable to be rejected as the provisions of Workmen's Compensation Act, particularly in the background of the object has not debarred the casual labour from claiming the compensation and the said issue is already settled in catena of judgments.

5 So far as next contention with regard to claim of compensation by the person, who were having independent source of income is concerned, the said contention is also liable to be rejected as Statute does not call for such such qualification of claimant while seeking compensation.

6 The compensation awarded appears to be meager. No case for interference is made out as no question of law is involved. Hence, the appeal stands dismissed.

[N. W. SAMBRE, J.]