

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**FAO No.6468 of 2012 (O&M)
Date of Decision: April 9, 2015**

Oriental Insurance Co. Ltd. Appellant

vs.

Arjun and others Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr.Aditya Kochar, Advocate for
Mr.Ashwani Talwar, Advocate
for the appellant.

Mr.Ashok Kumar Sharma, Advocate
for respondents No.1 to 3.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

The Insurance Company has filed an appeal against order dated 08.10.2012 passed by the Commissioner, under Employee's Compensation Act, Jind, vide which the compensation of Rs.7,40,592/- was granted to the respondents-claimants.

The only contention of learned counsel for the Insurance Company is that earlier the respondents/claimants had filed the claim petition under the Motor Vehicles Act but the same was withdrawn without obtaining any permission to file another petition under the Employees Compensation Act. Therefore, the claim petition filed before the Commissioner under the Employee's Compensation Act is not maintainable.

I am of the view that no permission was required, if an

alternative remedy was available under the law and no approval of the Court was required.

No other argument is addressed.

Dismissed.

April 9, 2015
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(KULDIP SINGH)
JUDGE