IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

FAO No.4449 of 2014 (O&M)
Date of decision: 13.03.2015

Smt.Urmila and others

….. Appellants

versus

Surender Singh and another

……Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr. Mukesh Yadav, Advocate for the appellants

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)

CM No.12525-CII of 2014

This application has been filed for condonation of 144 days delay in filing the appeal. The application is accompanied by an affidavit. For the reasons mentioned therein, it is allowed and delay of 144 days in filing the appeal stands condoned.

FAO No.4449 of 2014

It is the claimants' appeal against order dated 22.7.2013, passed by the Commissioner under Employee's Compensation Act, Circle-I, Sonepat, vide which, a compensation of Rs.4,82,754/- was awarded to the claimants on account of death of Dilbagh, who was working as a driver on the oil tanker.

The only contention of learned counsel for the claimants/appellants is that the deceased was earning Rs.10,000/-

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per month. However, the Commissioner had assessed the same to be Rs.5500/- per month.

The perusal of the award shows that the income was assessed being the minimum wages of the skilled worker as in the year 2012. There is nothing on the file to show that the income of the deceased was more than the minimum wages as assessed by the Commissioner.

It being so, no fault can be found with the findings recorded by the Commissioner under the Employee's Compensation Act. Therefore, there is no ground for enhancement of compensation as prayed for the appellants.

Resultantly, the appeal stands dismissed.

13.03.2015 **(Kuldip Singh)**
gk **Judge**

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