

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

FAO No.5187 of 2014 (O&M)

Date of decision: 03.07.2015

Kashmir Kaur and others

..... Appellants

versus

Sumit Kumar and others

..... Respondents

CORAM: Hon'ble Mr. Justice Kuldip Singh

Present: Mr. Vishvanath Sharma, 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.14724-CII of 2014

This application has been filed for condonation of 50 days delay in filing the appeal. The application is accompanied by an affidavit. For the reasons mentioned therein, it is allowed and 50 days delay in filing the appeal stands condoned.

FAO No.5187 of 2014

This appeal has been directed against the order dated 10.10.2013 passed by the Commissioner under the Employee's Compensation Act, Yamuna Nagar Circle-1 at Labour Colony at Yamuna Nagar.

In this case, Ranjit Singh a driver by profession died in a motor vehicular accident. His legal heirs filed an application for

compensation under the Employee's Compensation Act. The Commissioner in the absence of any proof, took the income of the deceased to be Rs.4478.21 per month which was minimum wages during the relevant period and after applying the relevant factor under the Employees Compensation Act, awarded the compensation to the tune of Rs.4,61,143 along with 12% per annum interest was allowed.

I am of the view that there is nothing wrong with the order passed by the Commissioner. In the absence of any proof, the minimum wages were correctly taken. There is no dispute about the age. The relevant factor according to the age was applied and the compensation was calculated.

Thus, there are no merits in the appeal and the same is accordingly dismissed.

03.07.2015
gk

(Kuldip Singh)
Judge