

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

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CM No.18529-CII of 2016 in/and
FAO No.4568 of 2007 (O&M)

Date of Decision: October 19, 2016

S.B. Packaging Ltd., Rohtak

...Appellant

Versus

Lalji

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vishva Nath Sharma, Advocate
for Mr. Sandeep Singhal, Advocate
for the applicant-respondent.

Mr. Sumeet Goel, Advocate
for the non-applicant-appellant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this application is for dismissal of the appeal in the light of the fact that the cheque No.953050 dated 26.11.2007, which was deposited by the non-applicant-appellant, has not been honoured, rather the same has bounced and because of non-deposit of the awarded amount, the appeal would not be maintainable.

On the last date of hearing, notice was issued of the application to the counsel for the non-applicant-appellant and Mr. Sumeet Goel, Advocate, had sought time to seek instructions in this regard. The counsel pleads no instructions.

In view of the above, the appeal would not be maintainable as the amount awarded by the Commissioner, under The Workmen's Compensation Act, 1923, has not been deposited, which is a pre-condition for entertainment of the appeal and there being no stay granted by this Court, the application is allowed and the appeal is dismissed as not maintainable.

In the light of the dismissal of the appeal,
CM Nos.17715-16-CII of 2016 stand disposed of as infructuous.

October 19, 2016
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No