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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO 179/2013**

THE NEW INDIA ASSURANCE CO. LTD. Appellant
Through: **Mr. Sameer Nandwani, Adv.**

versus

RAMRAT DEVI & ORS. Respondents
Through: **None.**

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

% **ORDER**
12.08.2016

CM No.6164/2013

The delay of 41 days in filing the appeal is condoned. Application disposed of.

FAO 179/2013

1. The appellant has challenged the order dated 04th January, 2013 whereby compensation of Rs.3,62,740/- has been awarded to respondents No.1 to 6.
2. On 17th October, 2012, Shyam Sunder Mahto was driving three wheeler scooter bearing No. TSR-DL-IRE-7025 on the instructions of his employer (respondent No.7) when he was hit by truck No. DL-IG-B-8162 which resulted in his death. The deceased was aged 35 years at the time of accident and was survived by his widow and five minor children who filed the claim petition before the Commissioner, Employees' Compensation.
3. Respondent No.7 chose not to contest the claim petition despite service. The appellant however filed the written statement in which the insurance were admitted. However, later on, the appellant stopped appearing

before the Claims Tribunal. The Commissioner, Employees' Compensation awarded compensation of Rs.3,62,740/- along with interest @ 12% per annum which is under challenge in this appeal.

4. No substantial question of law arises in this appeal as neither the appellant nor respondent No.7 had contested the claim before the Commissioner, Employees' Compensation.
5. The appeal and pending applications are dismissed.

J.R. MIDHA, J.

AUGUST 12, 2016
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