

\$~25

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

+ FAO 126/2014 and C.M. Appl. 7481/2014

RELIANCE GENERAL INSURANCE COMPANY..... Appellant

Through: Ms. Neerja Sachdeva, Advocate

versus

SMT BAIVI DEVI & ORS

..... Respondents

Through: Ms. Sona Babbar proxy for Mr.
Peeyoosh Kalra, ASC for GNCTD

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **15.09.2016**

1. The appellant has challenged the order of the Claims Tribunal whereby compensation of Rs.5,42,240/- has been awarded to the respondent No.1.
2. On 26th January, 2013, the deceased Gurdeep Singh @ Gurdeep Masih was driving vehicle No.HR-38-L-9296 when he suddenly started vomiting whereupon he was taken to the nearby clinic and thereafter, shifted to a hospital at Chandoli, where he expired. The deceased was survived by his widow, who filed the application for compensation before the Commissioner, Employees' Compensation claiming that the deceased died due to stress and strain.
3. The employer of the deceased did not dispute that the deceased was on duty at the time of the incident. The Commissioner, Employees' Compensation held that the accident occurred during the course of employment of the deceased.
4. The appellant contested the application on the ground that the cause

of death given in the post mortem report is septicaemia and, therefore, the respondent No.1 is not entitled to the compensation. The Commissioner, Employees' Compensation rejected this plea and awarded the compensation to respondent No.1.

5. This Court is of the view that no substantial question of law arises for consideration in this appeal and, therefore, the appeal is liable to be dismissed. That apart this Court does not find any infirmity in the findings of facts by the Claims Tribunal.

6. The appeal is dismissed.

7. The pending application is disposed of.

J.R. MIDHA, J.

SEPTEMBER 15, 2016

rsk