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

+ **FAO 439/2012 & CM No.18199/2012, 1076/2014 & 1077/2014**

UNION OF INDIA Appellant
Through: Mr. V.S.R. Krishna, Adv.
versus

CHANDRAWATI Respondent
Through: Ms. Sona Babbar, Adv. for
Mr.Peeyoosh Kalra, ASC for GNCTD

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

% **ORDER**
14.09.2016

This matter is taken up today as 13th September, 2016 was declared holiday.

CM No.1077/2014

The delay in re-filing the appeal is condoned. Application disposed of.

FAO 439/2012

1. The appellant has challenged the order dated 26th July, 2012 whereby the Commissioner, Employees' Compensation has awarded Rs.2,92,400/- to the respondent. On 13th June, 2003 at about 10.15 am, Late Ramesh Chand was on duty on the railway tracks as blacksmith and was supervising the work of the contractor when he suddenly fell down on the railway track which resulted in grievous injuries and led to his death. Late Ramesh Chand was survived by his widow who had filed the application for compensation before the Commissioner, Employees' Compensation.
2. Vide order dated 26th July, 2012, compensation of Rs.2,92,400/- along with interest @ 12% was awarded to the respondent.
3. The only ground urged by the learned counsel for the appellant at the

time of the hearing of the appeal is that the deceased was under the influence of liquor at the time of the accident and, therefore, is not entitled to the compensation.

4. No substantial question of law arises for consideration in this appeal and, therefore, the appeal is dismissed. The pending applications are disposed of.

5. Learned counsel for the office of learned standing counsel for GNCTD has handed over the status report which is taken on record. As per the status report, the appellant has already deposited the compensation before the Claims Tribunal which has been disbursed to the respondent as back as on 25th September, 2012.

J.R. MIDHA, J.

SEPTEMBER 14, 2016
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