

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2017

CORAM

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

C.M.A.No.2304 of 2017

and

CMP.No.12313 of 2017

The New India Assurance Co.Ltd.,
No.21, Pattullos Salai, Chennai - 600 002.

...Appellant/2nd Opp.Party

vs.

1. V.Baskar
2.Ravindran

... Respondents/Appliant & 1st Opp.Party

Civil Miscellaneous Appeal has been filed under Section 30 of Workmen Compensation Act 1923 to set aside the order dated 20.09.2016 made in E.C.No.103 of 2012 by the Commissioner for Employees Compensation - I, (Deputy Commissioner of Labour - I) at Chennai - 600 006.

For Appellant : Mr.C.Ramesh Babu

J U D G M E N T

This Civil Miscellaneous Appeal at the instance of the Insurance Company challenging the award of the Commissioner, Workmen Compensation granting a sum of Rs.35,631/- as compensation for injuries sustained by first respondent / Employee.

2. The claim was preferred by the first respondent seeking a compensation of Rs.2,00,000/- for the injuries sustained by him in two accidents that took place on 10.02.2010 and 10.07.2010. The factum of employment and the manner in which the accident took place is not denied. The claim was resisted on the sole ground that there was no disability and the employee reported to duty on the very next day.

3. The Commissioner of Workmen Compensation on examination of the evidence on record concluded that the injuries suffered by the employee, though not serious had resulted in 10% loss of earning capacity. The loss of earning capacity was thus quantified at Rs.33,600/- and adding medical expenses of

Rs.2,030.80/-, the Commissioner, Workmen Compensation has awarded a sum of Rs.35,631/- as compensation.

4. In an appeal under Section 30 of Workmen Compensation Act, a substantial question of law should be involved to enable interference by this court. On the perusal of the order of the Commissioner, Workmen Compensation, I do not find any question of law much less substantial question of law arising in this appeal.

5. Hence, this Civil Miscellaneous Appeal is dismissed, confirming the award of the Commissioner, Workmen Compensation. However, in the circumstances of the case, there shall be no order as to cost in this appeal. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. The Commissioner for Employees Compensation - I,
(Deputy Commissioner of Labour - I)
Chennai - 600 006.
2. The Section Officer,
VR Section, High Court,
Madras.

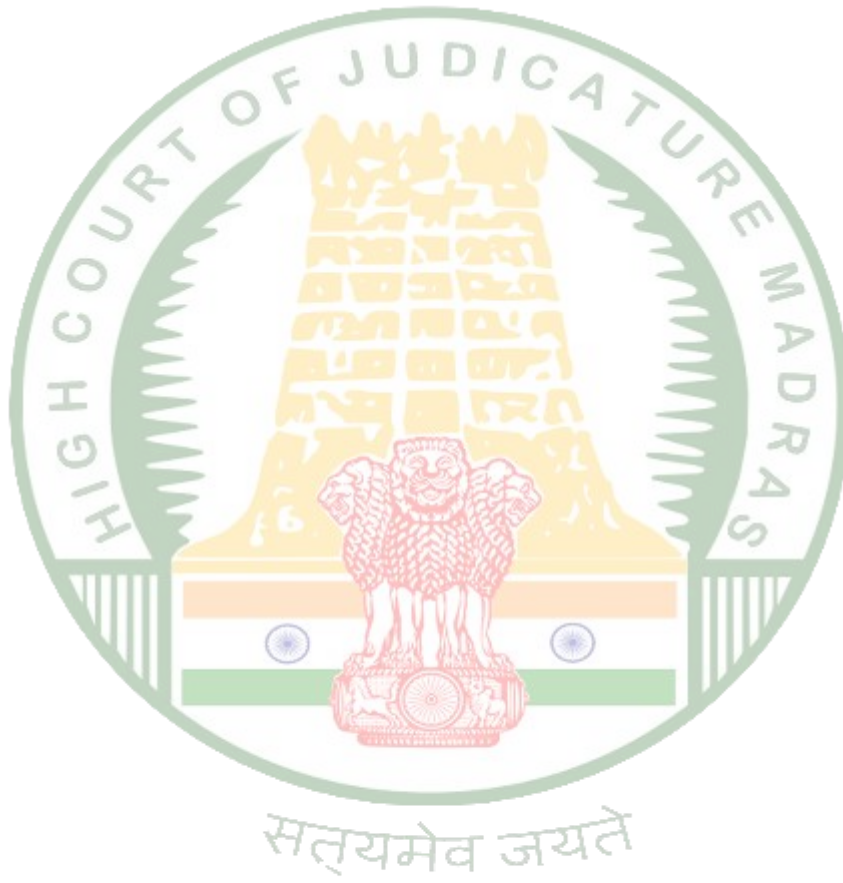
+1cc to Mr.C.Ramesh Babu, Advocate in sr.no.54620

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SR(CO)
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