

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

C.M.A.No.864 OF 2017

JUDGMENT:

Both the parties intend to get the disposal of appeal itself at S.R. stage.

2. Heard Sri Naresh Byrapaneni, learned counsel for the appellant, and Sri A. Rajendra Babu, learned counsel for respondent Nos.1 to 3.

3. The questions of law formulated in paragraph No.2 read thus:

“i) Whether the order of the Commissioner is correct in making the appellant liable to pay compensation, when the deceased was not covered under the policy of insurance?

ii) Whether the order of the Commissioner is correct in awarding the compensation when there was no accident and the death of the deceased was not out of and in course of the employment?

iii) Whether the order of the Commissioner, in treating the deceased as a workman, is sustainable when the employer–employee relationship was not proved by documentary evidence?”

4. Despite raising the questions of law as indicated in the above, the appellant herein has not let in any evidence at all, as could be seen from the order under challenge and the appendix of evidence annexed thereto. In such an event, certainly, it cannot be said that there is any question of law that arises in favour of the appellant to adjudicate. On this short ground, the present appeal deserves to be dismissed.

5. Accordingly, the present appeal is dismissed. Miscellaneous Petitions, if any, pending in this appeal shall stand closed. There shall be no order as to costs.

A. SHANKAR NARAYANA, J

August 04, 2017.
MD

