

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

**FAO 486/1993(O&M)  
Date of decision:18.07.2017**

Ranjit Kaur

.....Appellant

v.

M/s Quality Papers and others

.....Respondents

**Coram: Hon'ble Mr.Justice Jaswant Singh**

**Present:-** Mr.Ashwani Arora,Advocate and  
Ms.Amandeep Kaur,Advocate for appellant/claimant

Respondent no.1 proceeded ex parte vide order dated  
24.2.2016

Mr.RN Singal,Advocate for respondent no.2

**Jaswant Singh,J,(Oral).**

Claimant being the mother of deceased Jagtar Singh has filed the instant appeal challenging the award dated 17.12.1992 passed by Workmen Compensation Commissioner and Assistant Labour Commissioner,Mohali whereby her application for grant of compensation was dismissed.

It was claimed by the claimant/appellant that her son Jagtar Singh died in an accident on 23.1.1989 in the course of his employment with respondent no.1 and that she was dependent upon him. It was further averred that deceased aged 20 years was drawing wages @ Rs.854/- per month. Thus, a claim of Rs.80,000/- was sought.

After hearing counsel for the claimant/appellant and perusing the impugned award, I find no illegality or irregularity in the impugned award.

The claim petition was contested by respondent no.1-Mill as also by respondent no.2-Insurance Company. The learned Commissioner vide impugned award dated 17.12.1992 dismissed the claim of the claimant/appellant on the ground that she had failed to produce evidence by way of producing copy of FIR relating to accident as also copy of post mortem report. Thus, it was held that claimant failed to prove that deceased Jagtar Singh died while in the employment of respondent no.1.

I do not find any merit in the submission of learned counsel for the claimant/appellant that ground for rejection of the claim is not tenable under the law as in the absence of any evidence, it could not be held that the deceased died in accident during the course of his employment with respondent no.1. Further, the submission of the learned counsel for the appellant that the accident was admitted by the management cannot be accepted as the Commissioner in the impugned award has noticed that respondent no.1 denied that deceased Jagtar Singh was ever employed by it or he had died in an accident arising out of his employment.

Dismissed.

**18.07.2017**  
joshi

**(Jaswant Singh)**  
**Judge**

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| <b>Whether Speaking/reasoned</b> | <b>Yes/No</b> |
| <b>Whether Reportable</b>        | <b>Yes/No</b> |