

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

**FAO No. 10268 of 2014 (O&M)
Date of Decision: 25.09.2017**

Vinod Kumar

..... Appellant

Versus

M/s Shree Enterprises, Sonapat and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Hardeep Singh, Advocate
for the applicant-appellant.

JASWANT SINGH, J. (ORAL)

CM Nos. 28231-32-CII of 2014

Present applications, moved by the applicant-appellant, are for condonation of delay of one (01) day in filing and six (06) days' in re-filing the appeal, respectively.

For the reasons stated in the applications, duly supported by the affidavits, the same are allowed and the delay of one (01) day in filing and six (06) days' in re-filing the appeal is condoned.

MAIN CASE

Appellant-claimant is in first appeal under Section 30 of the Employees' Compensation Act, 1923, directed against the order dated 27.06.2014 passed by the Commissioner, Employees' Compensation Act, Circle-2, Sonapat, whereby the claim application of the appellant-claimant has been dismissed.

After hearing learned counsel for the appellant at length, this Court is not persuaded to interfere in the findings recorded by the Court below.

The case set up by the appellant-claimant is that he suffered an insect bite on the night of 21.07.2012 at about 10.30, while being employed as a 'Guard' at Kothi No. 403, Sector-14, Sonapat, owned by the respondents, where the construction work was going on. It was asserted that the insect was poisonous and his foot had got swollen. However, it is a conceded fact that the insect bite was below the ankle of right foot and the claim set up for grant of compensation and expenses incurred during the treatment in the different hospitals on account of injury in the stomach and intestines. The entire evidence produced by the appellant shows that the expenses were incurred in the month of September 2012 on account of treatment relating to stomach ailment and internal injury to the intestines, which has not co-relation to the insect bite suffered on the night of 21.07.2012. It has also come on record that the appellant does not suffer any permanent disability. The appellant has also failed to prove on record that there existed any relationship of employer or employee between the parties and any accident had occurred out and during the course of his employment.

In view of the above, no ground for interference is made out in the present appeal and the same is dismissed.

September 25, 2017

'dk kamra'

**(JASWANT SINGH)
JUDGE**

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No