

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

F.A.O. No.5147 of 2014 (O&M)
Date of Decision: 02.08.2017

Smt. Goma and others
..... Appellants

Versus

M/s Jai Bharat Rice Mill and another
..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ashish Gupta, Advocate for the appellants.

JASWANT SINGH, J. (ORAL)

The claimants i.e. the widow and two minor children of the deceased-Shri Prabhu have filed the present appeal, seeking enhancement of awarded compensation, as also amount of penalty and statutory interest.

The deceased-Shri Prabhu was employed as Chowkidar with M/s Jai Bharat Rice Mill (respondent No.1) and had died during the course of employment. Due to non-joining of the proceedings by the employer/sole proprietorship firm, an *ex parte* award dated 06.02.2014 was passed by the Commissioner, Workmen Compensation, Palwal.

At the time of hearing, learned Counsel for the appellants submits that the present appeal has become infructuous in the light of the application under Order 9 Rule 13 CPC, moved by the employer for setting aside the *ex parte* award, having been allowed and the award itself having been set aside.

In view of the above, the present appeal stands dismissed as infructuous.

August 02, 2017
Gagan

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No