

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

FAO No. 947 of 1992

Date of decision : March 22, 2018

Smt. Prem Lata & others,

..... Appellants

v.

The Executive Engineer, Provincial Divn. No.1, PWD B&R Br Gurgaon
and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Parveen Kaushal, Advocate
for Mr. Rajinder Paul, Advocate
for the appellants

Dr. Sushil Gautam, DAG Haryana
for the respondents.

Ajay Tewari, J (Oral)

This appeal has been filed against the judgment of the Commissioner dated 26.2.1992 dismissing the claim petition of the appellants under the Workmen Compensation Act, 1923.

Brief facts are that while the deceased was working on the road on 16.2.1990 a sand stone fell resulting into the fracture of his left leg and ultimately he died on 20.3.1990. The claimants who are his wife and two children filed the claim petition and the same having been dismissed they are before this Court.

The Commissioner held that the appellants could not prove the

factum of any accident or that he was under the employment at the time of accident. Even no doctor was produced who may have treated the him. Counsel for the appellants has not been able to prove that the findings arrived at by the Court below are flawed in any manner. Consequently, finding no merit this appeal is dismissed.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

March 22, 2018
'kk'

(AJAY TEWARI)
JUDGE

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