

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

408

FAO No. 1496 of 1996 (O&M)
Date of Decision : 2.4.2018

Smt. Santosh and others

....Appellants

vs.

Sh. Rishi Pal and others

....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Sagar Aggarwal, Advocate for
Mr. Ashit Malik, Advocate
for the appellants.

Mr. Maharaj Kumar, Advocate
for the respondents.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the award dated 30.11.1995 of the Commissioner under the Workmen's Compensation Act, 1923 dismissing a claim application. Since a very limited ground has been raised further detailed reference of the facts would not be necessary.

Learned counsel for the appellant has argued that the claim application was dismissed on the ground that the deceased was not covered under the definition of the 'Workmen'. In this case the deceased was employed as a field labourer and died due to electrocution during the employment. In the connection, learned counsel for the appellant has relied upon the judgment of this Court in the matter of “Joginder Singh vs. Naranjan Singh 1968 ACJ 393” where the Court held that all operations which a farmer necessarily engaged would be covered by the phrase

'farming'. Counsel for the respondent is not in a position to city any contrary judgment.

In the circumstances, the appeal stands allowed and the matter has now remanded back for assessment of compensation. Parties through counsel are directed to appear before the Commissioner for Employees Compensation, Karnal on 30.5.2018. The Registry is directed to send the record, if any received, to the Commissioner for Employees Compensation, Karnal.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

2.4.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No