

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

422

FAO-2051-1996 (O&M)

Date of Decision : 26.03.2018

M/s National Insurance Company Limited

..... Appellant

Versus

Shri Kawarpal Singh and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Aseem Aggarwal, Advocate
for Mr. Harsh Aggarwal, Advocate
for the appellant.

Mr. Mohit, Advocate
for Mr. R.A. Sheoran, Advocate
for respondent No.1.

AJAY TEWARI, J. (Oral)

This appeal has been filed by the insurance company against the award of the Commissioner, Bhiwani dated 30.04.1996 under the Workmen Compensation Act, 1923 awarding compensation to the claimant-respondent No.1 on account of injuries received by him in an accident during the course of his employment. Since only a limited issue is involved in the present appeal further detailed reference to the facts would not be necessary.

The only contention raised by the counsel for the appellant is that the accident had taken place on 28.01.1995 and at that time as per the then position of law, the maximum salary could taken to be Rs.1000/- p.m. but in the present case the Commissioner had taken the salary as Rs.1800/- p.m.

Counsel for the respondent No.1 has not been able to counter this argument.

Consequently, I fix the salary as Rs.1000/- p.m.

Appeal stands disposed of and the award is modified accordingly.

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

March 26, 2018
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No