

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

424

FAO-2085-1996 (O&M)

Date of Decision : 26.03.2018

Smt. Champa Devi and others

..... Appellants

Versus

M/s Nirankari Stone Crushing Industries

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Sharad Aggarwal, Advocate
for Mr. Lokesh K. Sinhal, Advocate
for the appellants.

None for the respondent.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the order dated 20.12.1995 passed by the Commissioner under the Workmen Compensation Act, 1923 rejecting claim of the appellants for awarding compensation on account of death of Surinder Singh who was working as a cashier at the stone-crusher of the respondent. Since only a limited issue is involved in the present appeal further detailed reference to the facts would not be necessary.

The Commissioner held that since the deceased was working as a cashier he had to be taken to be working in clerical capacity and he did not come within the definition of workman as per section 2(n) & Schedule II of the Workmen Compensation Act, 1923.

Counsel for the appellants has not been able to argue how the cashier would not come within the definition of workman.

Consequently, the appeal is dismissed. No costs.

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