

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

451

FAO No.3073 of 1996 (O&M)

Date of Decision : 04.04.2018

Oriental Insurance Co., Ltd.

..... Appellant

Versus

Ajit Singh & anr.

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present :- Mr. Rajesh K.Sharma, Advocate
for the appellant.

Mr. Sanjiv Gupta, Advocate
for respondent No.1.

AJAY TEWARI, J. (Oral)

This appeal has been filed by the Insurance Company against the order dated 09.08.1996 passed by the Commissioner, Kurukshetra under the Workmen's Compensation Act, 1923. Since a very limited point has been raised further detailed reference to the facts is not necessary.

The contention raised by the learned counsel for the appellant-Insurance Company is that the factum of employment has not been proved. It must be noticed that as per the claim application the injured-respondent No.1 was working as Driver with respondent No.2. It is a matter of common knowledge that these kinds of appointments are normally not accompanied by any written contract and in the present case where

respondent No.2 had also admitted the employment, the allegation that there was no written contract would not carry the case of the appellant-Insurance Company further.

Appeal is dismissed.

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

04.04.2018
Pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No