

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

479

**FAO No.2107 of 1997 (O&M)
Date of Decision : 02.05.2018**

Smt. Maya Devi and others

..... Appellants

Versus

Shri Ramesh Kumar and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Subhash Ahuja, Advocate
for the appellants.

None for the respondents.

AJAY TEWARI, J. (Oral)

This appeal has been filed by the claimants for enhancement of compensation under the Workmen's Compensation Act on account of death of Dharamvir Singh. Since only a limited issue is involved in the present appeal further detailed reference to the facts would not be necessary.

The only argument raised by counsel for the appellants is that the Commissioner erred while imposing penalty of Rs.5000/- even though the compensation was not deposited by the respondent No.1 within the prescribed period. I find this to be correct. Consequently, I impose penalty of 40% of the awarded amount alongwith interest as held by the Commissioner to be paid by the respondent No.1.

In the circumstances, the appeal is allowed to the above extent and the award is modified accordingly.

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

May 02, 2018
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned-Yes/No

Whether reportable-Yes/No