

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

FAO No.22 of 1997

Date of Decision:-01.05.2018

Sardar Surinder Singh

...Appellant

Versus

Karamjit Kaur and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE AJAY TEWARI

Present:- Mr. Rajiv Vij, Advocate
for the appellant.

None for the respondents.

AJAY TEWARI J.(Oral)

This appeal has been filed challenging the Award dated 30.7.1996 passed by the Commissioner under Workmen's Compensation Act, 1923 and Labour-cum-Conciliation Officer Circle-2, Jalandhar.

Learned counsel for the appellant has argued that it was the case of the appellant that deceased was not working as driver but he was working as a cleaner. However, apart from his bald assertion, the appellant did not lead evidence to this effect. On the other hand, the Commissioner had relied upon the fact that at the time of accident, the deceased was found on the driver seat of the truck and thus, came to the conclusion that preponderance of probability was that he was appointed as driver and not as a cleaner. Learned counsel has not been able to show that how the

Commissioner had erred in holding the preponderance of probability in favour of the respondents.

The appeal stands dismissed.

May 01, 2018
Vijay Asija

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No