

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

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**FAO-787-1996 (O&M)
Date of Decision : 12.03.2018**

Baljit Singh Appellant

Versus

Shri Ran Singh and another Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Sagar Aggarwal, Advocate
for Mr. Ashit Malik, Advocate
for the appellant.

None for respondent No.1.

Mr. Lalit Kumar, Advocate
for Mr. Ashwani Kumar, Advocate
for the respondent No.2.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the judgment and award of the Commissioner, Karnal dated 29.11.1995 under the Workman's Compensation Act, 1923 dismissing a claim application of the appellant.

As per the appellant, he was working as a driver on the truck of the respondent No.1 and on 30.06.1990 while going from Karnal to Delhi the truck met with an accident, because of which he suffered injuries. He was admitted to the Dr. Vijay Gupta City Orthopedic Nursing Home and where he underwent the number of operations but he was permanently disabled. The main factor which weighed with the Commissioner in disbelieving the whole story was that as per Dr. Vijay Gupta the appellant had been admitted in the hospital on 29.06.1990

whereas as per the claim petition the accident took place on 30.06.1990. Further the appellant did not produce any disability certificate which would indicate the nature and extent of the disability. Neither did he produce any driving license to prove that he was a driver.

Counsel for the appellant has not been able to show me how these findings are incorrect especially when the accident took place on 30.06.1990 while the appellant was admitted in the hospital on 29.06.1990.

Consequently, the appeal is dismissed.

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

March 12, 2018
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No