

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

213

**FAO No.4234 of 2013 (O&M)
Date of Decision : 14.02.2018**

National Insurance Company Limited

..... Appellant

Versus

Indu Bala and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Vipul Sharma, Advocate for
Mr. Paul S.Saini, Advocate
for the appellant.

Mr. Harish Bhardwaj, Advocate
for respondents No.1 to 3.

None for other respondents.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the award dated 01.04.2013 of the Commissioner, Karnal under the Employees Compensation Act, 1923 (for short the Act).

The brief facts are that the deceased was working as a Salesman with the respondent No.4-M/s R.K.Trading Company. As per the claimants on 15.03.2006 he had gone alone to load some material from Karnal to Shahbad. On the return journey, since his house fell on the way he stopped to pick up his lunch tiffin and when he was returning to the truck he was killed by some people.

The counsel for the appellant-Insurance Company has argued

Pooja Sharma
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that the death had no connection with the employment. He has also stated

that actually the father and brother of the deceased had filed a criminal case regarding his death in which a totally different story had been trotted out. He has however accepted that neither the judgment of the criminal case is on the file nor was the statement made by the father and brother in that criminal case ever put to the claimants in the present case. Consequently, those facts can not be read and no fault can be found with the impugned award.

Appeal is dismissed.

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

(AJAY TEWARI)
JUDGE

14.02.2018

Pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No