

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

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**FAO No.657 of 2013 (O&M)
Date of Decision : 14.02.2018**

Smt. Mamta Kumari and others

..... Appellants

Versus

Sunil Chauhan and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present: Mr. Thakur Ashwani Verma, Advocate
for the appellants.

Mr. Amit Kaith, Advocate
for respondent No.1.

Mr. R.C.Gupta, Advocate
for respondent No.2.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the award dated 28.09.2012 passed by the Commissioner under the Employee's Compensation Act, 1923, Union Territory, Chandigarh.

Learned counsel for the the appellants has argued that there are many issues which were not decided by the Commissioner like interest, penalty etc.

Learned counsel for the respondents have accepted that this is correct and have agreed that it would be appropriate if this matter is remanded back to the Commissioner for a decision on the issues which have not been decided.

Learned counsel for the appellants states that he would have no objection but the death in this case took place almost 9 years ago and therefore, the Commissioner be directed to decide the pending issues expeditiously since there is no evidence has to be led.

I find this to be a fair solution. The matter is remanded back to the Commissioner. The parties through their counsel are directed to appear before him/her on 27.03.2018. He/she is directed to decide the issues which have now fallen for his/her decision within a period of three months from the date of appearance of the parties before him/her.

Appeal stands disposed of in the above terms.

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