

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

FAO No.3660 of 2018 (O&M)
Date of decision: August 03, 2018

Reliance General Insurance Co. Ltd. ...Appellant

Versus

Ranjit Kaur & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sanjeev Kodan, Advocate for the appellant.

Rajan Gupta, J.

Appellant Reliance General Insurance Company Ltd. has impugned the award dated 28.3.2018, passed by Commissioner, Employees Compensation Act, Amritsar, whereby compensation has been awarded to the claimants on account of death of Gurnam Singh due to stress of work i.e. occupational disease.

Learned counsel for the appellant has argued that deceased had not died during the course of his employment, whereas he died on account of natural death due to heart problem. Moreover, the authority has awarded compensation to the claimants on higher side.

I have heard learned counsel for the appellant and given careful thought to the facts of the case.

Gurnam Singh (now deceased) was working as driver on Truck No.GJ-5-AT-2557 with respondent No.4 M/s Ideal Pillars of Trust. He died on 15.02.2012 while performing his duty, due to stress and occupational disease. A claim application under the Employee's Compensation Act was

filed by the claimants. In support of their case, claimant Manmeet Kaur appeared as AW-1 and tendered certain documents i.e. Ex.A-2 to A-11 regarding postmortem report of deceased, copy of police report etc. On appraisal of evidence, the Commissioner under the Act came to the conclusion that deceased was working with respondent No.4, who died during the course of his employment due to stress of work and occupational disease. As regards quantum of compensation, the authority observed that deceased was 45 years of age at the time of his death and was getting salary of Rs.10,000/- per month. By applying relevant factor of 169.44, the authority granted Rs.6,77,760/- as compensation to the claimants alongwith interest @ 12% per annum from the date of death till realization. The appellant insurance company was directed to pay the amount of compensation to the claimants.

There appears to be no apparent error in appraisal of evidence by the tribunal. In my considered view, there is no infirmity with the findings arrived at by the Tribunal. The appellant did not adduce any evidence to prove that it was not liable to pay the amount of compensation. The amount of compensation has already been deposited by the appellant insurance company with the Commissioner, Employees Compensation, Amritsar on 22.6.2018. The appeal is without any merit and is hereby dismissed.

August 03, 2018
'Rajpal'

(RAJAN GUPTA)
JUDGE

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No