

In the High Court of Punjab and Haryana at Chandigarh

FAO- 4466 of 2016(O&M)

Date of Decision: 1.3.2019

Mukesh Devi and others

---Appellants

versus

Mukesh and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. J.P.Sharma, Advocate
for the appellants**

Rekha Mittal, J.

The claimants are in appeal seeking enhancement of compensation over and above what has been assessed by the Commissioner under the Employees' Compensation Act, 1923 (in short "the Act").

The sole submission made by counsel for the appellants is that there is mistake in making calculations while assessing compensation to the tune of Rs. 3,14,743/-. The deceased was 43 years old and factor of 175.54 is admissible. Monthly wage has been assessed at Rs. 3586/-. When the calculation is made in consonance with the formula provided under the Act, there does not appear any mistake in making calculation and assessing compensation of Rs. 3,14,743/-. Interest @ 12% per annum has been awarded from the date of occurrence. In this view of the matter, plea of the claimants for allowing additional compensation is not tenable.

No other point has been raised.

For the foregoing reasons, the appeal fails and is accordingly dismissed. As the appeal has been decided on merits, application for condonation of delay in filing the appeal is of academic relevance.

(Rekha Mittal)
Judge

1.3.2019

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No