

FAO No.4510 of 2016 (O&M)
Date of Decision: 22.11.2019

State of Haryana and others

....Appellants

Versus

Suman Rani and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. D.K. Mittal, Deputy Advocate General, Haryana.

NIRMALJIT KAUR, J. (ORAL)

The present appeal has been filed by the State of Haryana against the impugned award dated 17.12.2015 passed by the Commissioner under the Employee's Compensation Act, 1923 (for short, 'the Commissioner').

While praying for the setting aside the said award, learned State counsel submitted that since the accident took place at 6:00 pm after the duty hours on 14.7.2013, it cannot be said that the deceased died on duty.

The said argument has no merit. It is not disputed that the deceased was on duty on 14.7.2013 and on that day Chief Minister of Haryana and other Government Officials to visit at Sirsa and due to VIP duties the employees of the Department were engaged on some extra duties. RW-1, SDE admitted that the deceased was on duty on the said date. No doubt, the incident took place at 6:00 pm, he was on duty from 9:00 am to 5:00 pm but the deceased was retained by his seniors for the duty, which went beyond the normal working hours from 9:00 am to 5:00 pm and even otherwise, it is admitted that he died on his way back to home and the

journey is part of the said extended duty.

In view of the above, this Court finds no reason to interfere with the award dated 17.12.2015. The appeal is accordingly dismissed. The amount, so deposited shall be disbursed to the claimants as ordered by the Commissioner.

A copy of this order be sent to the claimants free of costs.

(NIRMALJIT KAUR)
JUDGE

22.11.2019

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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No