

HIGH COURT OF CHHATTISGARH, BILASPUR**M. A. (C) No. 1035 of 2013**

Abhijit Singh Thakur, S/o Shri Rajendra Singh Thakur, aged about 38 years, R/o A/10, Indira Vihar Colony, S.E.C.L. Bilaspur, Police Station Sarkanda, District Bilaspur, Chhattisgarh

---- Appellant**Versus**

1. Pokhan Singh Kshatriya, aged about 50 years, S/o Seth Singh Kshatriya
 2. Prabha Devi Kshatriya, aged about 45 years, W/o Pokhan Singh Kshatriya
 3. Ranjeet Singh, aged about 15 years, S/o Pokhan Singh Kshatriya
 4. Vikas Singh, aged about 11 years, S/o Pokhan Singh Kshatriya
- Respondents No.3 & 4 are minor through legal guardian father respondent No.1

All are resident of Village Gadaghat, Police Station Takhatpur, District Bilaspur, Chhattisgarh

5. The Branch Manager, The Oriental Insurance Company Limited, Rajeev Plaza, Bus Stand, Bilaspur, Chhattisgarh

---- Respondents

For Appellant	: Shri A.L. Singroul, Advocate
For Respondents No.1 to 4	: None
For Respondent No.5	: Shri H.P. Agrawal, Advocate

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice**Hon'ble Shri Parth Prateem Sahu, Judge****Judgment on Board****Per Parth Prateem Sahu, Judge****13.07.2020**

1. Challenge in this appeal is to the order dated 13.03.2012 passed by the Commissioner for Employees' Compensation Act - cum - Labour

Court, Bilaspur, Chhattisgarh (hereinafter referred to as 'Commissioner') in Case No.82/WCA/COC.1.B/09/(F)Claim.

2. This appeal is filed by the employer of the deceased Kishore Singh challenging the award of penalty without issuing any show-cause notice to the appellant of Rs.1,73,528/-. Along with this appeal, appellant has filed an application for condonation of delay condoning the delay of 540 days in filing the appeal as well as application for exemption from depositing penalty amount before learned Commissioner.
3. As we have already decided the appeal filed by the Insurance Company being MAC No.577 of 2012 on 13.07.2020, in which, we have set aside the order passed by learned Commissioner and remitted back the case for deciding afresh, this appeal also stands dismissed in terms of MAC No.577 of 2012.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge