

FAO No. 1436 of 1992 (O&M)

Date of Decision: 10.1.2020

National Insurance Company Limited

---Appellant

versus

Bimla Devi and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. R.M.Suri, Advocate
for the appellant**

Rekha Mittal, J.

Notice to respondents No. 1 and 2 could not be issued as counsel for the appellant did not comply with order dated 15.3.2018 in respect of filing of correct addresses of respondents-claimants. This apart, respondents-claimants filed an application under Section 10 of the Workmen's Compensation Act for grant of compensation on account of death of Mahesh Inder Pal Garg, their son and they were awarded compensation to the tune of Rs. 1,51,142. 40 paise by the court exercising powers of Workmen Compensation Commissioner, Faridkot.

Counsel for the appellant, in response to a query, would fairly inform that the amount has already been paid by the insurance company in September 2001. As the respondents-claimants are not available at the given address and the insurance company is not in a position to file their latest addresses, the insurance company would not be in a position to seek restoration of the amount even if the appeal ultimately succeeds. In the given circumstances, no useful purpose would be served by keeping the case pending or its decision on merits.

Disposed of accordingly.

**(Rekha Mittal)
Judge**

10.1.2020

PARAMJIT Whether speaking/reasoned : Yes
 Whether reportable : Yes/No