

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

220

FAO No.9161 of 2014 (O&M)

Date of decision: 09.01.2020

SANTOSH

... Appellant

Versus

M/S HISSAR EXIM LTD & ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Sandeep Kotla, Advocate for the appellant.
Mr. Ajay Aggarwal, Advocate for
Mr. Sandeep Goyal, Advocate for respondent No.1.
Mr. Sanjiv Pabbi, Advocate for respondent No.2.

REKHA MITTAL, J. (Oral)

Challenge in the present appeal has been directed against award dated 03.06.2014 passed by the Commissioner under Employee's Compensation Act, 1923 whereby compensation has been assessed in respect of injuries sustained by the appellant during the course of employment.

The sole grievance of the appellant is that though she has been awarded compensation by the authority but her claim with regard to payment of penalty to the tune of 50% has not been addressed.

Since the Commissioner has not adverted to the question of payment of penalty, the appeal stands disposed of but with liberty to the appellant to file an appropriate application before the Commissioner concerned for grant of penalty. In case such an application is filed within a period of one month, the matter would be decided within a period of three months of filing of application, in accordance with law. As the appeal has been disposed of, application for condonation of delay is of academic relevance.

09.01.2020

ashok

**(REKHA MITTAL)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No