

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

244

FAO No.7620 of 2017 (O&M)

Date of decision: 29.01.2020

AMARUDI THRU HER LRS AND ORS.

... Appellants

Versus

BEST ROADWAYS AND ANR.

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Ashish Gupta, Advocate for the appellants.

REKHA MITTAL, J. (Oral)

CM No.25052-CII of 2017

Prayer in this application is for impleading legal representative(s) (in short "LRs") of Amarudi-appellant.

In view of averments made in the application supported by an affidavit of Farjana and arguments advanced, application is allowed and persons mentioned in para 2 of the application are allowed to be brought on record as LRs of Amarudi-appellant (since deceased), subject to just exceptions, for the purpose of present lis only.

Disposed of accordingly.

Main Case

The claimants are in appeal against order dated 28.12.2016 passed by the Commissioner under the Employees Compensation Act, 1923 to the limited extent that though in the order, there is reference that a show cause notice be issued to the respondent as to why he should not be penalised for non-depositing the amount of compensation within a period of one month but subsequent thereto, no proceedings were conducted for imposing penalty.

Without examining merits of the case, the present appeal stands disposed of with liberty to the appellant to approach the concerned Commissioner for deciding the question of penalty, in terms of order that a show cause notice be issued to the respondent in respect of his liability to pay penalty. In case an application is filed before the Commissioner concerned within a period of one month, the same shall be decided in accordance with law. As the appeal has been disposed of, application for

condonation of delay is of academic relevance.

29.01.2020

(REKHA MITTAL)
JUDGE

ashok

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