

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

FAO-7767-2017 (O&M)
Date of Decision:-**12.07.2023**

SEHRUAN AND ORS

... Appellants

Versus

RAVINDER KUMAR AND ANR

... Respondents

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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

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KARAMJIT SINGH, J. (Oral)

1. The counsel for the appellants submits that while passing the impugned order, Employees Compensation Commissioner granted reasonable compensation on account of death of employee namely Mubarik during course of his employment, but the Commissioner failed to impose any penalty on the employer as per provisions of Section 4-A of Employees Compensation Act while passing the impugned order and being aggrieved the appellants have filed the present appeal.
2. As per the aforesaid statutory provision provided in Section 4-A of Employees Compensation Act penalty could be imposed only on the

employer that too after issuing show cause notice to him and the insurance company is not liable to pay any such penalty on behalf of the employer.

3. At this stage, the counsel for the appellants prays for permission to withdraw the present appeal with liberty to approach to Employees Compensation Commissioner to proceed against the employer as per provisions of Section 4-A of Employees Compensation Act to get penalize the employer, who failed to deposit the compensation within stipulated period of 1 month.
4. In the light of the above, the present appeal stands dismissed as withdrawn with aforesaid liberty.

12.07.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No