



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

106

FAO-1279-1991**Date of decision : 20.11.2024****Vijay Kumar and others****..... Appellants****versus****Pardeep Kumar Anand and others****..... Respondents****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Manmeet Kaushik, Advocate for
Mr. Ashit Malik, Advocate
for the appellants.

Mr. Satpal Dhamija, Advocate
for respondent No.2-Insurance Company.

PANKAJ JAIN, J. (Oral)

1. On 25.09.2024, following order was passed:-

“As per office report, notice issued to
respondent No.1 has not received back as yet.

For awaiting service of respondent No.1, to
come up on 20.11.2024.”

2. Till date, respondent No.1 has remained unrepresented.

3. Appeal is directed against order dated 08.07.1991 passed by
Commissioner under Workmen's Compensation Act, Panipat. The
appellants are the claimants who were aggrieved of non grant of penalty.
Counsel for the appellants does not dispute that the penalty has to be paid
by employer. From the order, it is discernible that nothing has been paid
on account of penalty in terms of Section 4-A(3)(b). In the absence of
there being any justification for delay in paying the compensation, the
employer is liable to pay penalty.



4. Resultantly, the order dated 08.07.1991 is modified to the extent that respondent No.1 is held liable to pay 50% of the compensation amount i.e. ₹80,660/- i.e. equal to ₹40,330/- alongwith interest @ 12% for the period commencing from 30 days after the accident.
5. Disposed off, accordingly.

(PANKAJ JAIN)
JUDGE

20.11.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No