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

**FAO No.7998 of 2017 (O&M)
Date of decision : 16.10.2025**

LOVEPREET SINGH

....Appellant

Versus

HARMINDER SINGH AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Deepak Chaudhary, Advocate
for the appellant.

Mr. Rajneesh Malhotra, Advocate
for the respondents.

PANKAJ JAIN, J. (ORAL)

CM-26399-CII-2017

This is an application filed under Section 5 of Limitation Act seeking condonation of delay of 52 days in filing the instant appeal.

For the reasons recorded in the application, this Court is satisfied that the applicant/appellant has made out a sufficient cause for condonation of delay.

Consequently, the present application is allowed. The delay of 52 days in filing the instant appeal is hereby condoned.

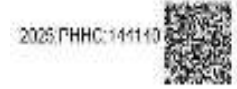
**FAO No.7998 of 2017**

Claimant is in appeal seeking enhancement of compensation awarded by the Commissioner under Employee's Compensation Act, 1923.

2. Claimant, who was employed as a cleaner/helper on a Combine vehicle bearing registration No.HR-22K-2124, suffered injury which rendered him permanently disabled to the extent of 75%. Left leg of the appellant below knee, got crushed. The employment was proved. It was proved that the accident occurred during the course of employment. Commissioner awarded compensation of Rs.6,76,448/- on account of injury suffered by the claimant and further amount of Rs.42,992/- on account of medical expenses.

3. In the considered opinion of this Court, keeping in view the dictum of law laid down by Four Judges Bench of Supreme Court in the case of '**Pratap Narain Singh Deo v. Srinivas Sabata,**' (1976) 1 SCC 289, the Commissioner ought not have considered the permanent disability but should have awarded the compensation taking into account the functional disability suffered by the appellant. The appellant having lost his left leg below knee, has been incapacitated permanently from pursuing his vocation as a cleaner/helper on the Combine vehicle. Accordingly, the compensation payable to the appellant is recomputed as under:

$$\text{Rs.8,000/-} \times 219.95 \times 50/100 = \text{Rs.8,79,800/-}$$



4. Claimant shall also be entitled for 12% interest on the awarded amount for the period commencing from 30 days after the date of accident i.e. 30 days after 05.11.2015 till the date of actual realization. Medical expenses of Rs.42,992/- awarded by the Commissioner on actual basis are maintained as it is.

5. With the aforesaid modification in the impugned award, the instant appeal is disposed off.

October 16, 2025

Dpr

(Pankaj Jain)

Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No