



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

213

FAO-3757-2002 (O&M)

Date of decision:05.02.2026

Dharkan and Another

...Appellants

Versus

Chanan Mal and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Dr. D.S. Nain, Advocate
for appellants.

Mr. V.K. Gupta, Advocate
for respondent No.2.

PARMOD GOYAL, J. (ORAL)

Appellants-claimants are aggrieved by impugned award dated 30.08.2001 passed by Commissioner, Workmen's Compensation Act, Kurukshetra, whereby appellants-claimants were found entitled to total compensation of Rs.2,13,570/- on account of death of deceased workman Dalbir Singh.

2. It was the case of appellants-claimants that deceased workman Dalbir Singh, who was driver of four-wheeler bearing registration number HR-23-1466, had gone to Samalkha from Kaithal. On his way, he had stopped his four-wheeler to change deflated tyre. However, while he was in process of changing tyre, the jack slipped and the vehicle fell on the deceased, causing multiple injuries and his death on the spot.

3. Appellants-claimants have asserted that deceased was getting Rs.2500/- per month along with daily expenses. Reliance has been placed upon DDR No. 9. Respondents have not contested the manner of accident and fact that deceased was employed with respondent No. 1. However, respondent No.1- employer claimed that deceased was being paid Rs.1500/- instead of Rs.2500/- and was entitled to get Rs.50/- as daily allowance as and when he used to be out of station. There is no dispute that deceased was 27 years old at the time of his death.

4. Learned Commissioner, Workmen's Compensation Act took income of deceased to be Rs.2000/-. Thereafter, applied reduction of 50% towards personal expenses and applied factor of 213.57 to conclude total amount of compensation to be Rs.2,13,570/-.

5. On consideration, I find that no error has been committed by learned Commissioner in quantifying the compensation to the extent of Rs.2,13,570/- after applying factor of 213.57 as per schedule. There is no scope of enhancement as order has been passed in accordance with provisions of Workmen's Compensation Act. However, I find merit in the contention raised on behalf of appellants-claimants that appellants-claimants were not awarded any interest on the awarded amount. Appellants-claimants cannot be faulted for delay in decision of the case and is, therefore, entitled to interest @ 12% as prescribed under the Act.

6. Therefore, it is held that appellants-claimants will be entitled to interest @ 12% over the amount awarded by Commissioner, Workmen's

Compensation Act, Kurukshetra from date of filing of application till date of actual payment of compensation to the appellants-claimants.

7. Appeal is disposed of as partly allowed with above modification.
8. Pending application(s), if any, stand disposed of.

(PARMOD GOYAL)

JUDGE

05.02.2026

Sunil Chander

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No