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

FAO-2046-1995 (O&M)

Date of decision : 14.01.2026

DANA DEVI

....Appellant

Versus

MOLAR RAM AND ANR

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Maneet Kaushik, Advocate
for the appellant.

Mr. Suvir Dewan, Advocate
for respondent No.2.

PANKAJ JAIN, J. (ORAL)

Present appeal is directed against order dated 01.03.1995 passed by Commissioner under the Workmen's Compensation Act, 1923 (now known as the Employee's Compensation Act, 1923 and hereinafter referred to as 'the 1923 Act').

2. The claim petition filed by the appellant/claimant has been dismissed by the Commissioner holding that the claimant failed to prove employer-employee relationship between deceased Jasmer Singh and respondent No.1 Molar Ram, who happens to be his father.

3. Counsel for the appellant has assailed the order submitting that merely for the reason that there was a blood relationship between Molar

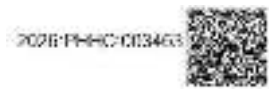


Ram and deceased, it cannot be inferred that the deceased was not employed with Molar Ram. In order to hammer forth his contention, he relies upon ratio of law laid down in the case of **National Insurance Company Ltd. vs. Smt. Simran and others, 2022(4) SCT 742, Smt. T.S. Shylaja vs. Oriental Insurance Co. and another, (2014) 2 SCC 587, United India Insurance Co. Ltd. vs. Prakash Shankar Gaurav and another, 2005 (26) RCR (Civil) 125 and New India Assurance Co. Ltd. vs. Gajanan D. Dengi and another, 2008(4) SCT 505.**

4. Per contra, Mr. Dewan would submit that it is matter of record that the employer/father Molar Ram himself earlier filed claim petition under Motor Vehicles Act, 1988. The same was withdrawn and thereafter the present petition was filed. He thus submits that the Commissioner has rightly dismissed the claim petition.

5. I have heard counsel for the parties and have carefully perused the records of the case.

6. Facts are not much in dispute apart from the issue of employer-employee relationship. There can't be any quarrel with the proposition being canvassed by counsel for the appellant relying upon the binding precedents that merely for the reason that the employee was in blood relation with the employer, it cannot be axiomatically said that there is no employer-employee relationship. However, in the present case, it has come on record that father Molar Ram earlier approached Motor Accident Claims Tribunal seeking compensation on account of death of Jasmer Singh in a motor-



vehicular accident. Therein no such plea was raised that the Jasmer Singh was employee of Molar Ram.

- 7. In view thereof, this Court does not find any reason to interfere in the well reasoned findings recorded by the Commissioner.
- 8. Finding no merit in the present appeal, the same is ordered to be dismissed.
- 9. Pending application, if any, shall also stands disposed off.

January 14, 2026			(Pankaj Jain)
Dpr			Judge
	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No