



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

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**FAO-3372-1999 (O&M)
Date of decision : 21.04.2026**

State of Haryana and another**..... Appellants**

versus

Rashma and others**..... Respondents****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Naveen Singh Panwar, DAG, Haryana.

Mr. Varun Sharma, Advocate for
Mr. Rakesh Nagpal, Advocate
for the respondents.

PANKAJ JAIN, J. (Oral)

1. By way of present appeal, the challenge has been raised against order dated 09.06.1999 passed by Commissioner under the Employees' Compensation Act, 1923.

2. The primary dispute raised by counsel for the appellants is with respect to absence of causal relationship between employment and the death of the deceased who as per post mortem report died due to tuberculosis. Counsel for the appellants submits that the deceased joined services on 18.08.1994. He died on 26.01.1996. There being no evidence to establish cause and effect relationship between tuberculosis, i.e. cause of death of the employee and his duties, Commissioner erred in awarding compensation to the claimants.

3. *Per contra*, counsel for the respondents submits that the deceased having died while on duty is not in dispute. He was plying



bus on Chandigarh-Delhi route. Due to long service hours and the fact that he had to sit continuously for long hours by the side of engine, tuberculosis having been caused by inhaling the fumes of the fuel cannot be ruled out.

- 4. I have heard counsel for the parties and have carefully gone through the records of the case.
- 5. The present appeal was ordered to be admitted on 06.09.2000. 50% of the amount of compensation was ordered to be disbursed to the claimants without any security and remaining 50% was ordered to be released on furnishing of adequate security to the satisfaction of the Executing Court. This Court finds that asking the family in destitute to refund the amount after 26 years would not be in the interest of justice, as the deceased having died of long duty hours and thereafter having suffered from tuberculosis also cannot be ruled out.
- 6. In view thereof, this Court finds that the present appeal needs to be disposed off in terms of order dated 06.09.2000.
- 7. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

21.04.2026
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No