



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

268

FAO-3239-2019 (O&M)
Date of decision : 07.05.2026

National Insurance Company Limited Appellant

versus

Saripan and others Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. R.C. Gupta, Advocate
for the appellant.

Mr. Ashish Gupta, Advocate
for respondents No.1 to 7/claimants.

PANKAJ JAIN, J. (Oral)

1. The only issue raised by the counsel representing the appellant is with respect to liability to pay penalty awarded by the Commissioner.
2. Keeping in view the ratio of law laid down in the case of *Ved Prakash Garg vs. Prem Devi* reported as *1997 AIR (SC) 3854*, the order passed by the Commissioner is modified to the extent that the insurance company is absolved of its liability to pay penalty amount, i.e. Rs.423850/- along with interest thereon. The penalty as well as the interest thereon, shall be paid by the employer, i.e. respondent No.8 and not by insurance company.
3. Accordingly, the present appeal is disposed off.

07.05.2026
Dinesh

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned : Yes
Whether Reportable : No