



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

**FAO No.3074 of 2026 (O&M)  
Date of decision : 26.05.2026**

**THE NEW INDIA ASSURANCE COMPANY LTD. ....Appellant**

**Versus**

**SUKHDEV PAL SINGH ALIAS SUKHPAL SINGH AND ANOTHER  
...Respondents**

**CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN**

**Present : Mr. Lalit Garg, Advocate  
for the appellant.**

**Mr. Inderpreet S. Kooner, Advocate  
for respondent No.1/caveator.**

**PANKAJ JAIN, J. (ORAL)**

**CM-11223-CII-2026**

This is an application filed under Section 5 of Limitation Act seeking condonation of delay of 22 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 22 days in filing the instant appeal is hereby condoned.

**FAO No.3074 of 2026 (O&M)**

Insurance Company is in appeal aggrieved of the order dated 27.02.2026 passed by the Commissioner under the Employee's



Compensation Act, 1923 (hereinafter referred to as '1923 Act') whereby the claimant has been awarded compensation of Rs.5,44,725/- along with interest @ 12% per annum w.e.f., 03.03.2022 till realization apart from medical expenses.

2. Counsel for the appellant/Insurance Company has assailed the order passed by the Commissioner raising two fold plea. Mr. Garg submits that on the date of accident, i.e., 03.03.2022, the claimant/driver was not holding a valid licence for driving Transport Vehicle i.e., truck bearing No. PB-08-ES-8383. He further submits that the Tribunal erred in granting interest from the date of accident which is in teeth of the statutory mandate as enumerated under Section 4A of the 1923 Act.

3. Counsel for respondent No.1 submits that the plea regarding gap in the driving licence of the appellant from 25.06.2021 to 18.11.2022 is on account of the fact that the Licensing Authority did not process the renewal of the licence owing to Covid-19. The aforesaid fact has been elaborately dealt with by the Commissioner and pure finding of fact has been recorded in this regard.

4. I have heard counsel for the parties and have gone through records of the case.

5. As per facts of the present case, the claimant was holding a valid driving licence with proper endorsement till 24.06.2021. Admittedly, prior to expiry of the driving licence, he applied for renewal thereof on 15.06.2021. In order to prove the same, he examined RW-1 Kuldeep Singh,



Senior Assistant from the office of Assistant Regional Transport Authority, Hoshiarpur. He proved that the claimant applied for renewal of licence on 15.06.2021. Copy of renewal slip, Exhibit A-2, was proved on record. The claimant proved on record fee slip, Exhibit A-3 and Training Certificate, Exhibit A-4. RW-1 further testified that the gap was on account of the fact that the work of the office was stopped and the renewal of licences were delayed owing to Covid-19. He also testified that the application submitted by the claimant *qua* renewal of driving licence was approved by the Regional Transport Authority on 19.11.2022 and the same remained pending from 15.06.2021 till 18.11.2022. In these circumstances, the Commissioner rightly answered the issue regarding driving licence in favour of the claimant.

6. In view of the afore-stated facts and circumstances, this Court finds no merit in the plea raised by Mr. Garg regarding validity of the driving licence. The same is hereby rejected.

7. However, he is right in contending that the Commissioner ought not have granted 12% interest on compensation w.e.f. the date of accident, but should have granted the same for the period commencing from 30 days thereafter.

8. Accordingly, the impugned order passed by the Commissioner is modified to the extent that the claimant shall be entitled for the compensation as awarded along with interest @ 12% per annum from the period commencing from 30 days after the date of accident, i.e., 30 days



after 03.03.2022 till the date of actual realization along with medical expenses.

9. With the aforesaid modification in the impugned award, the instant appeal and caveat petition are disposed off.

10. A copy of this order be kept on the file of other connected case.

May 26, 2026

(Pankaj Jain)  
Judge

Dpr

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |