



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

FAO-3006-2020 (O&M)

Date of decision : 17.03.2026

ESTATE OFFICER, HSVP AND ANOTHER

...Appellants

Versus

DIARMENDER AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: None for the appellants.

Mr. Pankaj Kundra, Advocate for

Mr. Deepak Sabharwal, Advocate for the appellants.

PANKAJ JAIN, J. (ORAL)

CM-10378-CII-2020

This is an application filed under Section 5 of Limitation Act seeking condonation of delay of 766 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 766 days in filing the instant appeal is hereby condoned.

FAO-3006-2020 (O&M)

While issuing notice of motion vide order dated 07.12.2020, this Court observed as under:

“Present application has been filed for condonation of delay of 766 days in filing the present appeal.

Learned counsel for the applicants-appellants submits that the applicants-appellants are not pressing the claim against the award passed by the learned Commissioner, Rohtak under the

Employee's Compensation Act, 1923, vide order dated 30.11.2017 against the claimants and are only claiming the recovery of the awarded amount from the contractor concerned.

Notice of the application seeking condonation of delay to respondents No.2 and 3 only for 16.03.2021.”

2. In the considered opinion of this Court, since the employment of the injured/claimant through respondent No.1/Contractor is not in dispute and the contractor has not preferred any appeal, the appellants have a right to get indemnified w.r.t. payment made to the claimant as the principal employer i.e., respondent No.2.
3. With the aforesaid modification in the order passed by the Commissioner, the appeal is disposed off.
4. Pending application, if any, shall also stand disposed off.

March 17, 2026

Dpr

**(Pankaj Jain)
Judge**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No