



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

112

**FAO-5008-2014 (O&M)
Date of decision : 18.03.2026**

P&R Infra Projects Ltd.

..... Appellant

versus

Avtar Singh and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Gaurav S. Rana, Advocate
for the appellant.

Mr. S.P.S. Sandhu, Advocate
for respondent No.1.

PANKAJ JAIN, J. (Oral)

CM-14239-CII-2014

1. This is an application for condonation of delay of 274 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed. Delay of 274 days in filing the appeal stands condoned.

Main case

1. Employer is in appeal against order dated 30.07.2013 passed by Commissioner under Employees' Compensation Act, 1923.

2. Claimant is an injured workman who suffered injuries in an accident arising out of and during the course of employment on 11.10.2009 and suffered disability to the extent of 45%.

3. The Commissioner allowed the application and awarded compensation observed as under:-



“The applicant has successfully been able to prove his case and as these issues are decided in favour of the applicant and against the respondent No.1&2. It is held that Avtar Singh was employed as Rigger by the respondent No. 1 who received personal injuries during the course of his employment. The applicant is entitled to compensation and medical charges as under. The respondent NO.1 is liable to pay compensation and medical charges.

Pay = 7000/-

Age = 25 years

Factor = 216.91

Disability = 45%

Medical Charges = 2,50,000/-

Compensation 2,34,262/- $2400 \times 216.91 \times 45$

100x100

Total:-4,84,262/-

RELIEF:-

In view of the above discussion on the above issues the application is allowed and applicant is awarded compensation & medical charges amounting to Rs 4,84,262/- along with interest @ 12% from the date of accident till realization. If the amount of compensation and medical charges along with interest accrued thereon is not deposited within 60 days then the rate of interest shall be @ 18% per annum. Parties are left to bear their own costs.”

4. While issuing notice of motion on 23.07.2014, this Court observed as under:-

“Contentends that the entire medical treatment was at the expense of the employer-appellant which was to the tune of Rs.1,17,619/- (A-3). The Commissioner has awarded medical charges to the tune of Rs.2.5 lacs.

Notice of motion returnable on 29.09.2014.

In the meantime, the amount awarded towards medical charges be not disbursed till further orders.”

5. Counsel for the appellant submits that he confines his argument for seeking the set off of the amount spent by the employer-



appellant on the medical treatment taken by the claimant, i.e. Rs.1,17,619/-.

6. Counsel for respondent No.1 is not in a position to dispute the fact that the employer indeed spent an amount of Rs.1,17,619/- on the treatment of the claimant.

7. In view thereof, the present appeal is disposed off modifying the order to the extent that the amount spent by employer on the medical expenses of the claimant be set off qua the amount awarded for medical expenses by the Commissioner i.e. Rs.2,50,000/-.

8. Ordered accordingly.

9. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

18.03.2026

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No