



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

240

**FAO-4200-2017 (O&M)  
Date of decision : 04.02.2026**

**Sarabjeet Singh****..... Appellant**

**versus**

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

Present: Mr. Sanjeev Majra, Advocate  
for the appellant.

Mr. Nonish Kumar, Advocate  
for respondents No.3 and 4.

Mr. Sanjiv Kodan, Advocate  
for respondent No.5-Insurance Company.

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

1. Claimant is in appeal aggrieved of the order dated 09.03.2016 passed by the Commissioner under the Employee's Compensation Act.

2. Claimant claims to have been engaged by respondent No.1 on salary basis of Rs.5,000/- per season for cutting of wheat crop on combine along with other perks. On 08.04.2009, he claims to have suffered electrocution in an accident arising out of and during the course of employment. Owing to the accident, he was rendered permanently disabled to the extent of 80%. Keeping in view the ratio of law laid down by Supreme Court in *Pratap Narain Singh Deo vs. Srinivas Sabata (1976) 1 SCC 289* and the nature of vocation that the claimant was pursuing, functional disability is taken to be 100%. The



compensation is accordingly computed as under:-

“Rs.4000 (in terms of notification issued by Central Government under section 4(1B) of the Act for the relevant period of time) x 60/100 into 226.38 (the relevant factor) = **Rs. 5,43,312/-**

3. In terms of Section 4A of the Act, the claimant shall also be entitled for interest @ 12% per annum for the period commencing from 30 days after the date of accident, i.e. 30 days after 08.04.2009 till the date of actual realization.

4. The liability to pay compensation alongwith statutory interest has to be borne by respondents jointly and severally.

5. The claimant is also entitled for penalty which shall be 30% of the compensation computed hereinabove, i.e. **30% of Rs. 5,43,312/- = Rs.1,62,993/-**, total amounting to **Rs. 5,43,312/- + Rs.1,62,993/- = Rs.7,06,305/-** along with statutory interest. The liability to pay penalty along with interest accrued thereon shall be shouldered by the employer in view of ratio of law laid down by Supreme Court in ***Ved Prakash Garg vs. Prem Devi*** reported as **1997 AIR (SC) 3854**.

6. Disposed off, accordingly.

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

(PANKAJ JAIN)  
JUDGE

04.02.2026

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Whether speaking/reasoned : Yes

Whether Reportable : No