



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

305

FAO-5746-2024 (O&M)

Date of decision : 18.02.2026

Krishna and others**..... Appellants**

versus

Romil Mahajan @ Romi Mahajan and another**..... Respondents****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Ishan Singh Cooner, Advocate
for the appellants.

PANKAJ JAIN, J. (Oral)**CM-21879-CII-2024**

This is an application for condonation of delay of 131 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed. Delay of 131 days in filing the appeal stands condoned.

FAO-5746-2024

1. Claimants are in appeal seeking enhancement of compensation awarded by the Commissioner under Employee's Compensation Act, 1923 vide order dated 06.05.2024.

2. Counsel for the appellant submits that the Commissioner has wrongly assessed the compensation taking the income of the deceased as Rs.8,000/- whereas, as per the notification issued dated 03.01.2020, the same should have been taken as Rs.15,000/-. The plea raised *sans merit* and is hereby rejected. The date of accident in the present case is 07.11.2019. Thus, the compensation has to be governed



by notification issued under section 4(1B) of 1923 Act as in vogue on the date of accident. Thus, no fault can be found with the Commissioner assessing compensation taking the income of the deceased as Rs.8,000/-.

3. Counsel further submits that no order with respect to penalty has been passed. The relevant extract of the order passed by the Commissioner reads as under:-

“In view of the above arguments advanced by the A.R. of the parties and gone through the case file and in view of the provisions of the Act, I hold that a show cause notice be issued to the respondents to the effect why they should not be penalized for their act in not helping the poor dependents of their employee by depositing the compensation amount within one month. This issue is decided accordingly in favour of the applicant. This issue is decided accordingly in favour of the applicants.”

4. Since the show cause notice has been issued by the Commissioner, the appellant instead of getting the penalty adjudicated by the Commissioner have opted to run to this Court without waiting for the adjudication by the Commissioner.

5. In view thereof, this Court finds no merit in the present appeal and the same is ordered to be dismissed.

(PANKAJ JAIN)
JUDGE

18.02.2026
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Whether speaking/reasoned :	Yes
Whether Reportable :	No