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New India Assurance Co. Ltd. Vs Bhupinder Kaur and Others

None

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Feb. 3, 2006

Citation: (2006) 3 ACC 577

Hon'ble Judges: Jasbir Singh, J

Bench: Single Bench

Judgement

Jasbir Singh, J.
This application has been moved for condonation of delay of 148 days in filing this appeal. Application is accompanied by

an affidavit. Despite many efforts made, service of the respondents is not complete. In view of averments made in the application, which is

supported by an affidavit, it is allowed and the delay in filing the appeal is condoned.

F.A. No. 299 of 2005:

2. Vide order under challenge, Commissioner under the Workmen"s Compensation Act, 1923, has granted compensation to the tune of Rs.

2,80,350 along with interest to the widow and minor children, i.e., the respondents on account of death of Shri Ram Singh. It is apparent from the

records that the appellant along with other respondents has failed to lead any evidence to rebut the claim of the respondents. Age of the deceased

was only 39 years. He was getting salary of Rs. 3,000 per month. In view of this, compensation awarded is perfectly justified. Counsel for the

appellant has contended that the appellant has wrongly been burdened with liability to pay interest on the compensation awarded. However, he has

failed to show that there was any negative clause with regard to the payment of interest in the policy. In view of judgment of the Hon"ble Supreme

Court in Ved Prakash Garg Vs. Premi Devi and others, and the judgment of this Court in F.A.O. No. 326 of 2006 United India Insurance

Company Ltd. v. Smt. Shakuntto Devi and Ors. rendered on January 20, 2006, no case is made out for interference. Dismissed.