



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

CR-229-2025

Date of decision : 16.01.2025

M/s Safe Gate

... Petitioner

Versus

Mo. Rafeek

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Pardeep Rajput, Advocate
for the petitioner.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for quashing of the order dated 27.08.2024 (Annexure P-7) passed by the Commissioner under the Employees Compensation Act, vide which the application filed under Section 53 of the Act for dismissal of the case has been rejected.

2. Learned counsel for the petitioner has submitted that since in the impugned order, the Commissioner had observed that the onus of proving that the respondent-claimant is an employee of the petitioner and that the accident had occurred during the course of the employment of the respondent, is on the respondent-claimant, thus, the petitioner seeks to withdraw the present petition with liberty to take all the points during the course of the trial.

3. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

**(VIKAS BAHL)
JUDGE**

January 16, 2025

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No