



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

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Date of decision : 27.08.2025

1. FAO-2537-2018 (O&M)

New India Assurance Co. Ltd. Appellant

versus

Raj Kumar and another Respondents

2. FAO-3078-2019 (O&M)

Raj Kumar Appellant

versus

New India Assurance Co. Ltd. and anr. Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Assem Aggarwal, Advocate
for the appellant in FAO-2537-2018 and
for respondent No.1 in FAO-3078-2019.

Mr. Puneet Kumar Bansal, Advocate
for the appellant in FAO-3078-2019
and for respondent No.1 in FAO-2537-2018.

PANKAJ JAIN, J. (Oral)

1. These are two appeals arising out of the same order passed by Commissioner under Employee's Compensation Act 1923.

2. Claimant filed application seeking compensation for the injuries suffered by him in an accident arising out of and during the course of his employment. He claimed Rs. 5 lakhs.

3. Counsel for the appellant submits that bare perusal of the findings recorded would show that the Commissioner has straightaway awarded amount of Rs.5 lakhs without affording any reasoning whether



the injuries are scheduled or whether the disability suffered is permanent or temporary.

4. Counsel for the respondent is not in a position to dispute the said fact.

5. In view thereof, this Court finds that the order passed by the Commissioner being totally bereft of application of mind, needs to be set aside. The matter is remanded back to the Commissioner to decide the same afresh. The parties shall appear before the Commissioner on **18.09.2025**.

6. The Commissioner shall be at liberty to grant opportunity to the parties in case they wish to supplement their evidence already on record.

7. In view of above, present appeals are disposed off.

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

9. A photocopy of this order be placed on the file of other connected case.

**(PANKAJ JAIN)
JUDGE**

27.08.2025

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Whether speaking/reasoned : Yes

Whether Reportable : No