



FAO-2558-1998 (O&M)

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

FAO-2558-1998 (O&M)

Date of Decision : 24.07.2025

Mewa Singh

... Appellant

Versus

Kuldeep Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Vivek Suri, Advocate,
for the appellant.

PANKAJ JAIN, J. (Oral)

The respondent stands served yet none appears on his behalf.

2. Challenge is to the order dated 23.09.1998 passed by the Commissioner exercising the powers under Workmen's Compensation Act, 1923. The claimant claimed that he received injuries in an accident arising out of and in the course of employment on 30.04.1991 while working on *toka* machine. His two fingers of right hand were completely chopped off while the other two and thumb were partially amputated. The Commissioner non-suited the claimant as he failed to prove employer-employee relationship with the respondent.

3. Counsel for the appellant is not in a position to dispute that the entire evidence points out that the claimant was in fact employee of Babu Singh who has not been impleaded as party to the present claim petition. Mr.



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Suri further submits that it is admitted by Babu Singh that Kuldip Singh was son-in-law of brother of Babu Singh. He, thus, submits that he being son-in-law of brother of Babu Singh and they are holding joint land, he was liable to compensate the claimant.

4. In the considered opinion of this Court, in the absence of Babu Singh having been impleaded to the present proceedings despite the claimant being in fact employee of Babu Singh, even if Kuldip Singh is admitted to be co-owner of land holding of Babu Singh, he cannot be said to be employee of Kuldip Singh.

5. In view of above, this Court finds no ground to interfere in the order passed by the Commissioner.

6. Finding no merit in the present appeal, the same is ordered to be dismissed.

7. Pending application, if any, stands disposed off.

(PANKAJ JAIN)
JUDGE

July 24, 2025

Paritosh Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No