



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

FAO-2191-1999 (O&M)

Date of decision : 27.02.2025

SHEELA DEVI AND ORS.

....Appellants

Versus

THE GENERAL MANAGER, HARYANA ROADWAYS, PANIPAT

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Naveen, Advocate for
Mr. Sanjiv Gupta, Advocate for the appellants.

Mr. S.S. Mann, Addl. A.G., Haryana.

PANKAJ JAIN, J. (ORAL)

Claimants are in appeal seeking enhancement of compensation.

2. Findings recorded by the Commissioner on issue No.3 reads as under:

“ISSUE NO.3

While deciding issue No.2 in favour of the claimants, amount of compensation is to be arrived at. The salary of the deceased is Rs.1800/- per month. As per Section 4(a) of Workmen's Compensation Act, 1923, 50% of the monthly wage are to be multiplied by the relevant factor. Thus 50% comes to Rs.900/- and relevant factor is 207.98. With this multiplier, the amount comes to 187182.00 only. Thus, I award this amount of Rs. 187182.00 to the claimants. Since, this amount is to be deposited within one month, which has not been deposited, under section 4(a), I allow interest on the said amount @ 12% per annum after 9-5-97 till the



realization of the payment. Accordingly, I hold that the respondent will pay Rs.1,87,182/- along with interest effective from 9-5-97.

3. Bare perusal thereof would reveal that the Commissioner has rightly calculated the quantum of compensation payable to the claimants however, has not awarded penalty which was payable in terms of Section 4A of the Employee's Compensation Act, 1923.

4. In view of above, the impugned order is modified to the extent that the claimants are also held entitled to the penalty which shall be 50% of the compensation awarded by the Commissioner along with interest @ 12% per annum payable for the period commencing from 09.05.1997 till the date of actual realization.

5. The appeal is disposed off accordingly.

February 27, 2025

(Pankaj Jain)

Dpr

Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No