

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

108

CWP-25915-2025

Date of Decision : September 02, 2025

XEN, IRRIGATION DEPARTMENT

-PETITIONER

V/S

SONU ALIAS JIGINDER SHARMA AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Bhupender Singh, Addl. A.G., Haryana
for the petitioner.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, a challenge has been made to the order dated 25.11.2024 passed by respondent No.3- Commissioner, Employee's Compensation Act, Circle-2, Panipat.
2. Succinctly stated, the respondent No.1 filed a claim petition under the Employee's Compensation Act before the learned Commissioner seeking compensation of ₹5,00,000/- for suffering permanent disability of 73% while working with the respondent No.2. The respondent No.1 averred that he had been employed as a Site Supervisor under respondent No.2 since 2012 at a monthly salary of ₹9,000/-. The respondent No.2 is a contractor engaged in executing work under the petitioner for the construction of a new minor from Village Bhadaur to Village Kalkha. On 17.03.2015, the respondent No.2 directed him to connect the electric wire and arrange water for the construction work. He declined to do so, as he had no knowledge of electrical work. However, upon being pressurized by the respondent No.2,

he attempted to connect the electric wire and, in the process, suffered an electric shock, sustaining serious burn injuries to his hands. He remained admitted in various hospitals and underwent surgery on his hands, which cost him approximately ₹2,00,000/-. As a result of the accident, he suffered permanent disability of 73% and accordingly claimed compensation of ₹5,00,000/-.

3. The learned Commissioner, by the impugned order, directed the petitioner, being the principal employer, to deposit ₹13,98,498/- (₹7,60,053 + ₹6,38,445/-) towards compensation and interest with the Court. The petitioner was also given the right to be indemnified by the respondent No.2/Contractor in terms of their agreement.

4. The learned State counsel, representing the petitioner, submits that the learned Commissioner has not appreciated the evidence in its proper perspective, as there is nothing on record to establish even remotely the workman–employer relationship between respondent No.1 and respondent No.2 (the petitioner’s contractor).

5. This Court posed a specific query to the learned State counsel as to how the petitioner is aggrieved by the impugned order, as the learned Commissioner has already extended him the right to be indemnified by respondent No.2/Contractor in terms of their agreement. However, learned State counsel has been unable to satisfy this Court on this aspect.

6. This Court has examined the record and does not find any merit in the instant writ petition. Firstly, although the petitioner filed a response to the claim petition, it was not seriously contested by adducing any evidence to disprove the assertion that the respondent No.1 was employed

under respondent No.2/Contractor. Secondly, the claim petition was primarily contested by the respondent No.2. Hence, it is he alone who, if he so desires, may raise all such pleas which are now sought to be raised by the petitioner before this Court.

7. Consequently, since the petitioner has, as is evident from the impugned order, been given the right to recover the awarded amount from his contractor, this Court is of the view that no interference is required at the instance of the petitioner. However, the respondent No.2/Contractor, if he feels aggrieved by the impugned order, may avail the appropriate statutory remedy for redressal of his grievance.

8. In summa, the instant writ petition is **dismissed**.

September 02, 2025
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No