
(2002) 02 JH CK 0067

In the Jharkhand High Court

Case No : Appeal from Original Order No. 36 of 1995 (R)

New India Assurance Company Ltd.

APPELLANT

Vs

Nitu Singh and Others

RESPONDENT

Date of Decision : 11-02-2002

Acts Referred:

Workmens Compensation Act, 1923 — Section 4

Citation : (2002) 02 JH CK 0067

Hon'ble Judges : Hari Shankar Prasad, J; Gurusharan Sharma, J

Bench : Division Bench

Advocate : D.C. Ghose, for the Appellant; R. Krishna, for the Respondent

Final Decision : Dismissed

Judgement

1. Pramod Kumar Singh was employed as driver on the trekker (BR-13. P-3495) belonging to his uncle Jagdish Singh. He was 26 year"s old and his monthly salary was more than Rs. 1,000/-.

2. On 12.3.1994, the said trekker was going from Ramgarh to Hazaribagh. On the way a truck coming from opposite direction dashed it and as a result thereof the driver sustained serious injuries and died on spot.

3. It was established that deceased was working as driver and died in course of his duty. The ill fated trekker was duly insured with New India Assurance Company Limited at the relevant time.

4. Under the provision of Section 4 of the Workmen"s Compensation Act, 1923 (hereinafter to be referred to as "the Act") a sum of Rs. 86,112/- was calculated as compensation payable to the widow, minor daughter and mother of the deceased driver.

5. The Workmen Compensation Commissioner after calculating the amount of compensation under the Act also allowed interest @ 6% per annum from 12.4.1994, i.e. after one month of the occurrence till the date of award u/s 4-A(3)

(a) of the Act.

6. We find no reason to interfere with the impugned order/award. There is no merit in this appeal. It is, accordingly, dismissed. but without costs.