

GAHC010006972016



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : MFA 87/2019

1:M/S UNITED INDIA INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AT 24 WHITES ROAD, CHENNAI 600014
WITH ONE OF ITS REGIONAL OFFICE AT G.S. ROAD, CHRISTIANBASTI,
GUWAHATI-5, REPRESENTED BY ITS CHIEF REGIONAL MANAGER

VERSUS

1:MD. AYNAL HAQUE and ANR
S/O MAINUL HAQUE, R/O VILL. KAHIBARI, P.S. and P.O. BARPETA-781301,
DIST. BARPETA, ASSAM.

2:NIKHIL CHANDRA
S/O JATIN CHANDRA
VILL. RAJABAHARGAON
P.S. DERGAON
P.O. DERGAON-785614
DIST. GOLAGHAT
ASSAM

Advocate for the Petitioner : MD. A AHMED

Advocate for the Respondent : MR. D P DUTTA

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 03-04-2019

Heard Mr. A. Ahmed, learned counsel for the appellant.

This appeal is preferred against the judgement and award dated 04/07/2016 passed by the

Commissioner, Bajali Sub-division, Barpeta in W.C. case No. 07/2015.

Admit the appeal.

Issue notice returnable in six weeks.

Appellant to take steps for service of notice upon the respondents by registered post with A/D as well as usual process.

Steps within one week from today.

Call for the LCR.

The appeal will be heard on the following substantial question of law :-

- “1. Whether the learned Commissioner was justified in assessing the loss of earning capacity of the claimant de hors the opinion of a qualified medical practitioner ?
2. Whether the finding as regard the permanent partial disablement allegedly suffered by the claimant is perverse to the evidence available on record?

The petitioner would be at liberty to urge any other substantial question of law at the time of hearing of the appeal with the leave of this Court.

JUDGE

Sukhamay

Comparing Assistant