



**Deep Chand Sharma Vs. Ram Bahadur & Ors.**

**FAO No. 231/2010**

30.10.2025 Present: Mr. Neeraj Gupta, Senior Advocate with Mr. Pranjali Munjal, Advocate, for the appellant.

Name of respondent No. 1 stands deleted.

Mr. Amit Himalvi, Advocate, for respondent No. 2.

Respondent No. 3 ex parte.

**Admit**, on following substantial questions of

law:-

*“(a) When the person on whose information FIR Ext. PW-3/A was recorded was not examined; was not the same inadmissible in evidence for proving its contents, especially on account of the facts stated by RW-2, the Branch Manager of Insurance Company?”*

*“(b) Are not the findings of Commissioner Workmen Compensation contrary to the pleadings, oral and documentary evidence especially when there was no evidence led by Insurance Company that the vehicle involved in the accident at the relevant time was used for the purpose otherwise mentioned in the policy Ext. R-1? When it was not in dispute that the deceased was employed as a labourer by the owner and was not travelling in the tractor in question for hire and reward?”*

*“(c) Has not the Commissioner Workmen Compensation travelled beyond the scope of the pleadings, oral and documentary evidence to decide issue No. 2 against the appellant exonerating the Insurance Company when it was amply proved on record that the deceased was an employee of the owner and there was no apparent violation of any other terms of the Insurance Policy?”*

*“(d) Is not the award passed by Commissioner excessive and contrary to law while awarding interest when there was no proper evidence regarding the salary and age of the deceased?”*



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Notice. Mr. Amit Himalvi, Advocate, accepts service of post admission notice on behalf of respondent No. 2. Let post admission notice be issued to respondent 3 returnable within four weeks, on taking steps within two days.

As prayed, list for final hearing on **01.12.2025** alongwith FAO No. 230 of 2010.

**( Sushil Kukreja )**  
**Judge**

**30<sup>th</sup> October, 2025**  
(raman)