

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Misc. Appeal No.682 of 2018

Minhaz Khan & Others Appellants
Versus
Sita Ram Energy & Logistics Limited & Another
 Respondents
With

Misc. Appeal No.3 of 2019

Divisional Manager, National Insurance Company Limited
 Appellant
Versus
Minhaz Khan & Others Respondents

CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY

M.A. No.682 of 2018

For the Appellants : Mr. Sudhir Kumar Sharma, Advocate
For the Respondents : Mr. Amresh Kumar, Advocate

M.A. No.3 of 2019

For the Appellant : Mr. Amresh Kumar, Advocate
For the Respondents : Mr. Sudhir Kumar Sharma, Advocate

Order No.10 / Dated : 13.08.2025

Heard learned counsel on behalf of appellants on the point of admission. Both these appeals arise out of same impugned award. Therefore, they will be heard together and will be disposed of by common question of law.

These appeals are admitted to be heard on the following substantial question of law:-

- I. Whether in the instant appeal, there was any relationship of employees and employer between the deceased and the owner of the offending vehicle?
- II. Whether the learned Commissioner workmen compensation erred in law in determining compensation amount on the basis of Rs.212/- per day, minimum wages notified for truck driver by the Government completely ignoring evidence of C.W. 1 and C.W. 2, who had deposed in their evidence that deceased was a driver under Opposite Party

No.1 and earning Rs.7000/- as monthly salary and Rs.100/- as daily food allowance?

- III. Whether learned Court below erred in law in taking income of deceased as Rs.212/- per day whereas minimum wages for truck driver (skilled category) was Rs.225.20 for year 2014, as notified by the Government?
- IV. Whether learned Commissioner committed error of law in not awarding interest since date of accident on compensation amount?
- V. Whether grant of penal interest was permissible under the law?

Let these cases be listed on 20.08.2025.

(Gautam Kumar Choudhary, J.)

Anit