

C.A.No. 1861 OF 1998

.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp

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~ ITEM NO.103 COURT NO. 7 SECTION XIA

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 1861/1998

Thomas Issac .. Appellant (s)  
Vs.

D Pramod .. Respondent(s)

DATE : 1/3/2001 : This/These matter (s) was/were  
called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU  
HON'BLE MR. JUSTICE SHIVARAJ V PATIL

For Appellant (s) : Mr. Sudarsh Menon, Adv.

For Respondent (s) : Mr. Mathai M Paikeday, Sr. Adv.  
Mr. V.J. Francis, Adv.  
Mr. P.I. Jose, Adv.  
Mr. J.V. Francis, Adv.

UPON hearing counsel the Court made the following  
O R D E R

.....L.....I.....J  
.SP2

The appeal is dismissed. There shall be no order as  
to costs.

.SP1

Charanjit [ Om Prakash ]  
Court Master

[ Signed order is placed on the file ]

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IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1861/1998@@  
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Thomas Issac .. Appellant

Vs.

D Pramod .. Respondent

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.....L.....I.....J  
.SP2

An application was filed before the Deputy Labour Commissioner under the Workmens' Compensation Act. That application having been dismissed an appeal was filed before the High Court under the Act. The High Court having examined the evidence on record came to the conclusion that the respondent sustained an injury in the course of employment in the appellant's establishment and set aside the order made by the Commissioner and remanded the matter for fresh consideration.

The question raised before us is that whether it is probable that the respondent is a workman under the establishment of the appellant and sustained an injury in the course of employment. The High Court having examined the evidence on record and come to the conclusion one way or the other, we think there is no finding which calls for interference at our hands under Article 136 of the Constitution. Hence we decline to interfere with the order made by the High Court. The appeal is, therefore dismissed. In the circumstances of the case there shall be no order as to costs.

.SP1

.....J  
[ S. RAJENDRA BABU ]@@  
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.....J@@  
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[ SHIVARAJ V PATIL ]@@  
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New Delhi,@@  
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March 1, 2001 @@  
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