

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 2297 of 2017**

With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2017
In R/FIRST APPEAL NO. 2297 of 2017

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DISTRICT MANAGER / AREA MANAGER, FCI, & ANR.

Versus

VAIBHAV TRANSPORT & ANR.

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Appearance:

ADVOCATE NOTICE SERVED for the Appellant(s) No. 2

MR NIRAD D BUCH(4000) for the Appellant(s) No. 1

MRS. BHAVINI N. BUCH(5403) for the Appellant(s) No. 1

RULE SERVED for the Defendant(s) No. 2

RULE UNSERVED for the Defendant(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE J. C. DOSHI

Date : 12/06/2026

ORDER

In the first appeal, the amount of compensation involved is below Rs.5 lakh.

Having heard the submissions made at bar and considering the fact that the amount involved in the subject matter of present First appeal is on lower side i.e. less than Rs.5,00,000/-, considering the smallness of the awarded amount involved in the present appeal, the Court is not inclined to entertain the present appeal and therefore, present appeal stands dismissed on account of smallness of amount. Consequently, CA, if any, does not survive and stands disposed of accordingly.

However, it is clarified that dismissal of present appeal shall not be construed that the Court has decided any legal issue involved in the subject matter of present appeal and therefore, the decision of present appeal shall not be treated as precedent for deciding any legal issue.

Registry is directed to return back the R & P, if any, to the concerned Court forthwith.

The learned Commissioner is directed to disburse the amount of compensation deposited by the appellant to the claimants after due verification and identification along with interest and after verifying their right to claim the compensation.

It is made clear that in view of section 12 of the Employees' Compensation Act, the principle employee is always entitled to recover the amount of compensation paid on behalf of the Sub Contractor.

SHEKHAR P. BARVE

(J. C. DOSHI,J)