

IN THE COURT OF SH. S.C YADAV, COMMISSIONER  
(UNDER EMPLOYEES' COMPENSATION ACT, 1923)  
LABOUR DEPARTMENT, GOVT. OF N.C.T. OF DELHI  
5, SHAM NATH MARG, DELHI-110054

No. WC/22/ND/2017 | 167 - 169

Dated 03-2-21

In the matter of:

Sh. Nan Bhaya

C/o Delhi State General Karamchari Union (Regd.)  
61, 2<sup>nd</sup> Floor, Duplex Flat, Gud Mandi, Delhi-110007

...Claimant

v/s

M/s ERA

Delhi MRTC Project Ph-3, Metro Storey-ERA-JV  
Kudisiya Park, Opp. Kashmiri Gate ISBT,  
Delhi- 110054

...Respondent No. 1

M/s DMRC

Metro Bhawan, Barakhamba Road,  
New Delhi-110001

...Respondent No. 2

ORDER

03/02/2021

For Petitioner: Sh. Ashok Raj Sharma along with petitioner present.

For Respondent No 1 already ex-parte.

For Respondent No 2 Sh. Gulab Chandra Jha, Asst Manager Legal along with principal Employer AR Sh. Pragya Kumar, ASC Civil.

Claimant Sh. Nan Bhaya s/o Dhan Bahadur Singh filed claim through Sh. Sushil Dhanija, Sachiv Delhi State Karamchari Union, 61, 2<sup>nd</sup> Floor, Duplex Flat, Gur Mandi Delhi-60 under the provision of EC Act, 1923. As per contents of claim claimant was employed with respondent No 1 M/s ERA and deployed for resp. No 2 Delhi Metro Rail Corp. As a helper since 01/06/2013 on last drawn wages Rs. 9,500/-. During and in the course of his employment he met with as accident on 24/06/2013 at the site of Respondent No. 2 and received injury in left leg. As per disability certificate no. 1400 dated 09/10/2019 issued by medical board of Aruna Asaf Ali Govt. Hosp. Delhi he become 20% disability in right lower limb.



03/2/21 ok

Commissioner  
Employee's Compensation Act, 1923



Respondent No 1 M/s Era was proceeded ex parte as he failed to attend the proceedings. But during the proceedings Respondent no. 2 M/s DMRC being the PE has deposited injury compensation amounting Rs 2,17,555/- along with 12% interest considering age of claimant 35 yrs. and relevant factor 197.06 as per schedule IV of the Act and 60% of wages of Rs. 8000 as restricted, through DD No. 581643 dated 16/12/2020 in favour of Commissioner Employees Compensation u/s 3 of the EC Act, 1923 on the ground as admitted factum of Employee employer relationship and accident caused out and in the course of his employment on their construction site.

In view of above I find that Respondent no 2 M/S. DMRC being the PE in this case has discharged his responsibility under the Act. As such no further trial is required in the matter and accordingly matter is disposed off. The claimant AR submitted that he will not press for penalty. The DD in question be sent to Employees Compensation Commissioner. North District to deposit the same in Workmen Compensation Commissioner account, as Commissioner North District is operating account.

The order announced in the open court today i.e. 03/02/2021, copy of order be given to the respondent dasti.

Given under my hand and seal of this Authority on this 03 day of Feb, 2021.

(S.C. Yadav)

Commissioner  
Employee's Compensation Act, 1923

Commissioner  
Employee's Compensation Act, 1923

