

GOVT. OF NCT OF DELHI  
BEFORE THE COMMISSIONER EMPLOYEE'S COMPENSATION/  
DY. LABOUR COMMISSIONER (DISTT. NORTH EAST / EAST) VISHWAKARMA  
NAGAR, JHILMIL COLONY, DELHI-110095

No. CEC-D/ED/08/2021/729

dated 24.03.2021

In the matter of:-

Smt. Laxmi W/o Late Kapil  
H.No. 125, Gali No.3, Phase-9,  
Shiv Vihar, Delhi-110094

..Claimant

V/s

M/s Peregrine Guarding Pvt. Ltd.  
Off. 859, 2<sup>nd</sup> Floor, Khasra No.220,  
Opposite of Pillar no.5, Near Railway Crossing,  
Bijwasan, New Delhi-110077

..Respondent

For Claimant - Sh.P.K.Agarwal, Adv.

For Respondent - Sh. Punit Singh, Manager Compliance

Sh. Jogendar Kumar UDC from ESIC, Dwarka Sector 7,  
Branch is also present

**Proceeding-cum-Order Sheet**

Representative of ESIC filed the ledger sheet in r/o of Kiran Pal Singh having insurance no. 2015973466 showing the benefits being given to the dependants and also stated that the sum of Rs. 15,000/- has been given to the dependants towards funeral expenses. A.R. of the claimant was also given a copy of ledger sheet and he agreed that the deceased was covered under ESIC and the dependants of the deceased are getting benefits from ESIC. Since the deceased workman was covered under ESIC and the dependents are getting benefits under ESIC. Section 53 of ESIC Act, 1948 which bars against receiving or recovery of compensation or damages under any other law and is re-produced as under: -

'An insured person or his dependents shall not be entitled to receive or recover, whether from the employer of the insured person or from any other person, any compensation or damages under the Workmen's Compensation Act, 1923 (8 of 1923), or any other law for the time being in force or otherwise, in respect of an employment injury sustained by the insured person as an employee under this Act.'

Since the dependents of the deceased Sh. Kapil are availing benefits under ESIC, the present case filed by the complainant is dismissed.

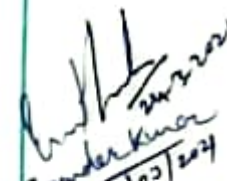
Copy of the order be given to the parties dasti.

Given under my hand and seal on this 24th day of March, 2021



  
24.3.2021

(K.M.SINGH)  
Commissioner,  
Under Employee's Compensation Act, 1923

  
24/03/2021  
Jogender Kumar

by  
24/3  
AR for Kiran Pal

Remdix  
Jogender Kumar

Received  


Recd  
24/3