By Speed Post/ By Hand

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

NO.CEC-D/NE/10/2021/ 17568-17516- Dated: 06-06-2022

In the matter of:

Sh. Ram Pujari F/o Deceased Sh. Ram Sunder @ Ramu
R/o Bhatpurva, Gonda Bhatpurva,
Uttar Pradesh-271204 ... LR of Workman

V/s

Sh. Varun Bhutani S/o Sh. Kishan Lal Bhutani
H.No. 1/9030, Gali No.1, West Rohtas Nagar,
Delhi-110032 .... Respondent No.1

Sh. Shiv Shankar S/o Sh. Hodli Singh
D-277, Gali No.13, Shiv Vihar, Delhi ... Respondent No.2

Sh. Abhilash Chaudhary S/o Late Sh. Kuldeep Singh
& Sh. Digvijay Singh S/o Sh. Rakun Singh
H.No. 1/4938, Gali No.5, Balbir Nagar Extn.
Shahdara, Delhi-110032 .... Respondent No.3 & 4

Proceeding-Cum-Ordersheet

Date: 06.06.2022

For Claimant- Sh. Ram Bihari alias Sh. Anand
For R-1- Sh. Varun Bhutani
For R-2- Sh. Shiv Shankar
For R-3- None Present
For R-4- None Present

Vide this order, I shall dispose off an information received through newspaper that a worker namely Sh. Ramsunder alias Sh. Ramu has expired due to electrocution in an under construction building in Balbir Nagar Extension Area, under a contractor namely Sh. Shiv Shankar. On receipt of information a letter was issued to SHO, P.S. Shahdara with request to provide copy of FIR, MLC and to file EAR. In response, Sh. Ashish Malik, Sub-Inspector filed copy of FIR and MLC. Later on, Sh. Kamaljeet Singh, ASI appeared and requested for time to file EAR. Sh. Kamaljeet Singh, ASI, P.S. Shahdara appeared with Sh. Varun Bhutani, Contractor and Sh. Shiv Shankar, Sub-Contractor alongwith Sh. Ram Pujari F/o Deceased and Smt. Kanti Devi M/o Deceased. During the proceedings Sh. Varun Bhutani stated that he has engaged Sub-Contractor, Sh. Shiv Shankar and deceased Sh. Ram Sunder was employed as Labour and expired due to electrocution during the course of employment. Sh. Varun Bhutani further stated that he is a contractor of Sh. Abhilash Chaudhary and Sh. Digvijay Singh and they should also be impleaded as party and liability for

शिवशंकर
रामबिहारी

Scanned with CamScanner

payment of compensation be fixed on them and accordingly ASI, Sh. Kamal Jeet Singh was directed to call Sh. Abhilash Chaudhary and Sh. Digvijay Singh. On 15.09.2021, Sh. Kamaljeet Singh, ASI filed EAR, Sh. Varun Bhutani was not present on that day and copy of EAR was given to Sh. Abhilash Chaudhary and Sh. Digvijay Singh for filing reply. Thereafter, Sh. Varun Bhutani filed a copy of settlement entered between Sh. Varun Bhutani and Sh. Shiv Shankar (as employers) and Sh. Ram Pujari F/o Deceased and Smt. Kanti Devi M/o Deceased(as dependents of deceased) wherein it is mentioned that they have made a payment of Rs.2,50,000/- vide pay order no.021447 dated10.03.2021 drawn on Bank of Baroda, Shahdara, Delhi. Thereafter, none appeared on behalf of the claimants and the matter was reserved for order. An order dated 28.02.2022 was issued with the direction to all the parties to appear on 10.03.2022 for verification of settlement. On 10.03.2022, Sh. Ram Bihari @ Sh. Anand B/o deceased appeared and requested for time for confirmation of settlement. Thereafter, the matter was fixed on 19.04.2022, 17.05.2022 and 06.06.2022. Sh. Ram Bihari @ Sh. Anand B/o deceased Sh. Ram Sunder appeared and stated that his parents have received a sum of Rs. 2,50,000/- through pay order from Sh. Varun Bhutani & Sh. Shiv Shankar and also stated that his parents are unable to come and requested to adjourn the matter sine-die as his parents are unable to come at present and they will pursue the matter on their own. He filed photocopy of Aadhar Card of his parents i.e Sh. Ram Pujari bearing Aadhar No. 628948140744 and Smt. Kanti Devi bearing Aadhar No. 789210273926 and copy of his own Aadhar Card bearing No. 226743979497 to show that he is the son of Sh. Ram Pujari and Smt. Kanti Devi.

In view of statement made by Sh. Anand B/o deceased, the matter is kept sine-die.

Copy of this order is also being sent to Sh. Ram Pujari and Smt. Kanti Devi with the direction to appear and get the matter pursue/reopen. They are also advised that if they cannot afford a legal representative to represent them, they can approach the office of Delhi legal services authority for free legal assistance. The contents of this order has been briefed to Sh. Ram Bihari @ Sh. Anand in Hindi also.

रामबिहारी
शिवशंकर

Given under my seal and signature on 06th Day of June, 2022.

Commissioner Employees Compensation Act-1923 ★ GNCT of Delhi ★

6.6.2022

(K.M SINGH)
Commissioner Employee's Compensation

Scanned with CamScanner