



GOVT. OF NCT OF DELHI
BEFORE SH. K.M.SINGH, COMMISSIONER
(EMPLOYEE'S COMPENSATION ACT, 1923)
LABOUR DEPARTMENT (EAST & NORTH EAST DISTRICT)
VISHWAKARMA NAGAR, JHILMIL COLONY, DELHI-110095

NO.CEC-I/ED/11/2020/ 6145-46

In the matter of:

Sh. Dushyant Kuamr S/o Late Sh. Veer Singh
R/o H.No. 25/2, Gali No.5, Near Central Bank,
Vill. Karkardooma, Delhi-110092

... Claimant

Through Samast Odhyogic Shramik Vikas
367, A Pocket J&K, Dilshad Garden,
Delhi-110095

..A.R. of claimant

V/s

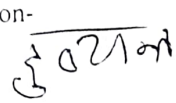
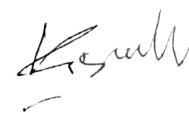
M/s A.R. Dom Tele Com Pvt. Ltd.
Through its Manager Sh. Tarun
Plot No.370, 2nd Floor, Patparganj Industrial Area,
Delhi-110092

.... Respondent

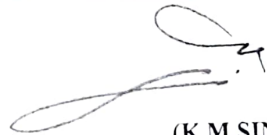
PROCEEDING-CUM-ORDER SHEET

1. Vide this order, I shall dispose off the claim application dated 15.12.2020 received from the claimant Sh. Dushyant seeking injury compensation under Employees Compensation Act, 1923 (hereinafter referred to as an 'Act'). The claimant has stated that he was working on the post of 'Helper' since 01.08.2016 and his last drawn wages were Rs.8,910/-. It has also been stated that the respondent was not providing facilities available to him under Labour Laws like appointment letter, leave, ESI etc. and was also not paying minimum wages. It has also been stated by the claimant that when he was going to his home after finishing his duty, then at around 5 P.M. on 23.09.2019, a motor cycle driver hit him due to which he fell on the ground and his right hand got fractured. The claimant has stated that he made a phone call to one of his relatives who took him to Dr. Hedgewar Arogya Sansthan Hospital where he was treated. The claimant has further stated that when he went back on his duty on 23.11.2019, the respondent refused to take him back on his duty and thus illegally terminated his services. The claimant has further stated that his age is 33 years and he sent a demand notice dated 06.01.2020 demanding compensation @ 10% of disability but the respondent neither paid the compensation nor replied the demand notice. The claimant has calculated compensation amount amounting to Rs.1,79,460/- as per his age and wages and has prayed to direct the respondent to make the payment of compensation.
2. That notices were issued to the respondent and respondent vide his written reply submitted that they had issued appointment letter dated 10.03.2018 and there is arbitration clause for any dispute and has denied all the contents of the claimant filed by the claimant.

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3. That the claimant filed rejoinder dated 09.02.2021 denying the contents of reply filed by the respondent and reiterated the same contents as mentioned in their original claim application.
4. That the claimant filed a letter dated 15.12.2020 for getting the assessment for disability and the claimant was referred to Lal Bahadur Shastri Hospital for medical disablement assessment and the said hospital vide its letter no. 13/ORTHO/LBSH/2021 dated 22.07.2021 has assessed 0% medical disability in respect of claimant.
5. That during the proceedings, both the parties stated that they have mutually settled the matter and as per settlement, the claimant demanded a sum of Rs.30,000/- to which the respondent agreed and the respondent paid Rs. 30,000/- vide cheque no. 000292 dated 08.09.2021 drawn on Axis Bank Ltd., Rosewood City, Gurgaon-122001 which was received by the claimant in presence of his A.R. 
6. After receipt of the said amount by the claimant, claimant and A.R. of the claimant requested to close the matter as they want to withdraw the same. 
7. In view of request of claimant/A.R. of the claimant, the matter is closed as settled and withdrawn.
8. It is ordered accordingly.

Given under my hand and seal of this court on 14th day of September, 2021.



(K.M.SINGH)
Commissioner, Employees Compensation