

In the matter of :

1. Smt. Sannu Khatun W/o Mohammad Barik Sabir
 2. Mohammad Barik S/o Sri Aliraj Miya
 3. Km. Muskan (Minor)
- Claimants

V/s

M/s Jaiunison Sales India Pvt. Ltd Respondent No.1

Magma HDI Insurance Co. Ltd Respondent No.2

ORDER

Claimants Smt. Sannu Khatun , Mohd Barik and Ms. Muskan alongwith Sh. Sunil Dutt Sharma (Adv)

For Respondent No.1 Mohd Muslim

For Respondent No.2 Ms. Rubina Khan

The Claimants have filed a claim under Employee's compensation Act, stating that Mohd. Salhin was employed as cleaner on Truck No. DL-1LAU-6790. That on 14.03.2022 Mohd. Salhin with his driver Sh. Amit was returning to Delhi after unloading the goods at Vrindavan. Around 11:30 PM their truck reached near Tappal turn at Yamuna express way, the truck bearing No. DL-1LAU-6790 collided with an unknown truck. In the said accident Mohd. salhin sustain fatal injuries and died on spot due to the accident. That the death of Mohd. Salhin has been caused due to the accidental injuries during his course of employment. At the time of accident he was on his duty as per the instruction of Respondent No.1. Mohd. Salhin was 23 years old and his salary was Rs. 16,000/- per month at the time of accident. The truck bearing No. DL-1LAU-6790 was insured with Respondent No. 2 vide policy No. P0022000100/4103/824006 valid from 30.01.2022 to 29.01.2023. The claimants have prayed that the respondent be directed to make payment of Rs. 18,00,000/- as compensation along with 12% interest per annum.

Summons were issued to the parties. The respondent No. 1 as well as respondent No.2 have also filed written statements. In this matter proceedings are held and on 01.03.2023 the claimant and respondent No.2 have submitted that they have made a settlement. Both the parties filed the compromise deed, same is taken on record. According to the settlement the respondent No.2 i.e M/s Magna HDI general insurance co. ltd. has agreed to make payment of Rs. 16,99,625/- as compensation to the claimants. The terms and conditions of the compromised deed, which is in English was read out to the claimants in their mother tongue i.e Hindi and they were asked to think it over again, if they want to make this settlement



Today, the claimants Smt. Sannu Khatun ,Mohammad Barik and Km. Muskan (Minor) alongwith Sh. Sh. Sunil Dutt Sharma (Adv) has appeared today and stated that they have thought over the compromised deed dated 22.02.2023. They have stated that they entered into this agreement after due deliberation with their family members and friends and has made this settlement at their free will and without any external pressure. They have requested that the settlement may be taken on record.

I have gone through the claim and the compromised deed filed by the parties. The amount of Rs. 16,99,625/- towards compensation to the claimant by respondent No.2, seems to genuine, therefore the compromised deed dated 22.02.2023 is taken on record and the settlement made by the parties is hereby registered. The case is closed as settled.

In view of the above settlement, the respondent No.2 i.e M/s Magma HDI Insurance Co. Ltd, 4th Floor, Aggarwal cyber plaza, 2 Netaji Subhash Palace, Pritampura, New Delhi is directed to deposit an amount of Rs. 16,99,625/-(Sixteen lakh ninety nine thousand six hundred and twenty five only) in favour of Commissioner Employee Compensation Distt. East-1 within 30 days of passing of this order. The copy of the order be supplied dasti to the parties.

*I recieved
order copy by
the R2 (Rubeena Khan)
Rubeena*

Mr. R. ...

*Mr. S. D. Sharma
Adv for
claimants*

Mr. ...

Ms. Muskan

(AMARDEEP)
CEC (EAST)

