

Case No. CEC-D/NE/30/21

14/06/2023

for claimant — Sh. M.K. Rather, Adv.

for R1 — Sh. Lala Ram

for R2 — Ms. Deepa, Proxy

Chief of the court has been recorded. The R1 do not
want to cross examine of claimant. Therefore R2
request for cross examine of claimant. granted
trial opportunity. Adjourned for 28/06/2023 at
11:00 AM

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14/6/23

28/06/23

Claimant Smt. Jyoti Devi alongwith Sh. M.K. Rather, Adv.

R-1 Absent

For R-2 → Sh. Ajay Kumar Jain, Adv.

The Claimant has filed a claim under EC Act, 1923
that Sh. Rinku Kumar was employed as a Driver with
R-1 on his vehicle No. DL-1MA3603. On 24/6/21 at
around 12 to 1 P.M. when he was on duty & was going
from Agra to Delhi. He met with an accident at Pari
Chowk, Greater Noida, U.P. During the said accident,
he sustained grievous injuries & he was taken to
Kallash Hospital, Noida & was subsequently
referred to Goyal City Hospital, Agra thereafter
to S. M. S Hospital, Jaipur & from there to
S. M. Medical College, Agra where he died on
30/7/21 during the course of treatment.

Continue

In this regard, FIR No. 0433 was lodged on 15/9/21 with P.S. Dankaur Distt., Greater Noida. It is stated that the vehicle No. DL-IMA-3103 was insured with R-2 vide policy No. 1-1GYSRUB8P400 MF042080 valid from 31/7/20 to 30/7/21. The deceased employee was 31 yrs old at the time of accident & was drawing Rs. 15,000/- per month as salary plus extra per day as food allowance.

The claimant has requested that respondent be directed to pay compensation as per Provisions of PC Act, 1923. R

The R-1 & R-2, both have filed their W.S. The R-1 has admitted the factum of accident as well as Employer-Employee relationship. Though, R-2 has also contested the case but now the Claimant as well as R-2 have agreed to settle the dispute. The Authorised Representative of R-2 has made an offer of Rupees Seventeen Lakh to the Claimant towards the Settlement of claim as full & final Payment. The Claimant after due deliberation with her family members as well as with the consent of her counsel has agreed with the proposal moved by the R-2.

3 July

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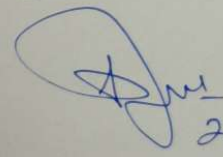
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The Claimant has been explained the terms & conditions of settlement proposed by R-2 in her mother tongue i.e Hindi in the open Court & she has willingly given her consent to make this settlement. Further, the proposed amount of Rs. 17 Lakh is genuine in the given circumstances & in accordance with the provisions of EC Act, 1923. The B

Now, both the parties have agreed to settle this dispute & the respondent no. 2 will make payment of Rs. 17 lakh towards compensation as a full & final payment within 30 days of passing this order.

The Respondent No. 2 is directed to deposit Rs. 17 lakh (Rupees Seventeen Lakh Only) in Favour of Commissioner Employees Compensation, North East Distt. Case is closed as settled.

Copy of the order supplied Partly to the parties.


28/6/23

3 July

GMP

Seen on
28/06/2023