

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 2855 OF 2015

IN

FIRST APPEAL ST. NO.20903 OF 2015

(J.P.ELECTRICALS THR. ITS PROPRIETOR.....VS.. SMT. PUSHPA ANANDRAO HAJARE & OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.J.Pophaly, Advocate for Appellant.

Shri H.N.Potbhare, Advocate for Respondent Nos. 1 to 3.

CORAM : Z.A.HAQ, J.

DATED : OCTOBER 13, 2016.

Accepting the reasons stated in the application,
the delay of 48 days in filing the appeal is condoned.

The civil application is allowed.

FIRST APPEAL ST. NO. 20903/2015.

Taken up for hearing on admission.

The appellant has raised following substantial
question of law :

Whether the receipt showing payment of
Rs.2,65,000/- can be said to be an agreement for
the purposes of Section 17 of the Employees
Compensation Act, 1923 ?

ADMIT.

Call R & P.

The appellant shall file private paper book within six months.

CIVIL APPLICATION (CAO) NO. 1938/2015.

The reasons given by the appellant for seeking exemption from depositing the amount of interest as per the impugned award are not acceptable and justified. Therefore, the prayer of the appellant is rejected.

The civil application is **dismissed**.

CIVIL APPLICATION (CAF) NO. 2856/2015.

The appellant has deposited the amount of compensation as directed by the Labour Commissioner. If the amount of interest, as directed by the Labour Commissioner is deposited within two months, the execution proceedings shall stand stayed. If the amount of interest is not deposited within two months, the claimants will be at liberty to proceed with the execution.

If the amount of interest is deposited within two months, the claimants shall not be given the amount deposited by the appellant, and the amount shall be kept in nationalized bank until further orders.

The claimants are at liberty to file application for withdrawal of the amount if the appeal is not heard within one year.

JUDGE