

\$~8

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

FAO 346/2016 & CM 26851/2016 (stay)

HARI RAM

Through

..... Appellant
Mr H.K. Panda, Adv. alongwith the
appellant Hari Ram in person

versus

BABU LAL & ORS

Through

..... Respondent
Mr Vinod Kumar Jha, Adv. for R1 to R6

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

%

29.11.2016

The appellant is present in person with counsel.

The claim petition seeking compensation on account of death of Shanti Devi on 18.12.2013 was filed by the respondents before the Employee Compensation Commissioner. A sum of Rs.6,77,760/- was awarded as compensation besides 12% interest per annum from the date of accident till realization of the compensation amount. A sum of Rs.5,000/- was also awarded towards funeral charges.

Feeling aggrieved, this appeal was preferred by the appellant. The matter was referred to Delhi High Court Mediation & Conciliation Centre. The matter has been amicably settled between the parties on 06.10.2016 according to which, the respondents have agreed to get the award modified to the extent that they will be entitled to a sum of Rs.6,60,000/- inclusive of all heads and interest towards all their claims. It is further agreed that this amount be released by the Commissioner Employees Compensation to Babu Lal, husband of the deceased Shanti Devi. The remaining amount, which stands deposited with the Commissioner Employee's Compensation be returned back by the Commissioner Employee's Compensation to the appellant Hari Ram.

The appellant Hari Ram is present in person and states that this settlement has been arrived at between the parties without any pressure or threat.

Accordingly, the appeal is allowed to the extent that the award is modified to the extent that a sum of Rs.6,60,000/- be paid to Babu Lal, husband of the deceased Shanti

Devi. The respondent nos. 2 to 6 who are the legal heirs of the deceased Smt. Shanti Devi has executed a Special Power of Attorney in favour of Babu Lal.

Accordingly, the Commissioner Employee's Compensation is directed to release the amount of Rs.6,60,000/- to the respondent Babu Lal and the remaining amount be paid to the appellant Hari Ram.

The appeal stands disposed of in above terms.

Pending applications, if any, also stand disposed of.

Trial Court record be sent back forthwith.

Order *dasti* to the parties.

SUNITA GUPTA, J

NOVEMBER 29, 2016/rd