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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO 10/2017**

M/S VERMA PESTICIDES PAST CONTROL SERVICES (P) LTD

..... Appellant

Through: Mr.Rupesh Sharma, proxy counsel for
Mr.Rajesh Kumar, Advocate

versus

STATE GOVT OF NCT OF DELHI AND ORS. Respondents

Through: Mr.Avtar Singh and Ms.Manjeet
Kaur, Advocates for R-1 and R-4.
Mr.Sanjay Kumar Chhetry and
Mr.Arun Francis, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **18.07.2017**

1. This appeal impugns the order of the Employees' Compensation Commissioner awarding compensation under the Employees' Compensation Act.

2. As per third proviso to Section 30 of the Employees' Compensation Act, an appeal cannot lie unless the entire awarded amount is deposited before the Commissioner. This appeal should not have been listed in the court by the Registry without necessary certificate having been filed.

3. This appeal was listed for the first time on 20.12.2016. This court ordered compliance by directing deposit of the awarded amount with the Commissioner. Till date, however, the amount has not been deposited because a certificate of deposit of awarded amount has not

been filed in this court.

4. Accordingly, this appeal is not maintainable in terms of third proviso to Section 30 of the Employees' Compensation Act, and the same is dismissed with liberty to the appellant to revive the same after appellant deposits the awarded amount before the Commissioner.

VALMIKI J. MEHTA, J

JULY 18, 2017

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