

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**FIRST APPEAL NO. 944 OF 2017
WITH
CIVIL APPLICATION NO. 1411 OF 2018
WITH
CIVIL APPLICATION NO. 3946 OF 2011**

The Sub-Regional Director,
Employees State Insurance Corporation ... Appellant

Versus

Mr Louis Dadu Sansare and another ... Respondents

Mr. P. M. Palshikar, Advocate for the Appellant.
Mr. Prashant D. Patil, Advocate for the Respondent No.1.
Mr. Atman H. Mehta a/w Vaishali Shah, Advocates i/b M/s
Haresh Mehta & Co. for Respondent No.2.
Smt. A.R. Kapadia, ESIC Social Security Officer-present.

CORAM : A. S. CHANDURKAR, J.

DATE : 13th DECEMBER, 2018.

P. C.:

1. The learned Counsel for the appellant on instructions of Smt. A. R. Kapadia, ESIC Social Security Officer, who is present in Court submits that the Employees State Insurance Corporation has agreed to accept the findings recorded by the learned Member of the Industrial Court, Nashik in the impugned proceedings to the extent that the disability suffered by the respondent No.1 is to the

extent of 20%. It is however submitted that the payment of compensation would be made as per the prevailing rules of the Corporation which would be from the date of order of the Employees' Insurance Court. Civil Application No. 1411 of 2018 has been filed by the original claimant, in which it has been stated that the claimant is willing to accept the amount of compensation as per the said rules periodically.

2. In view of the statements as made, the learned Counsel for the appellant submits that the appeal can be disposed of in aforesaid terms.

3. Accordingly, the judgment of the Employees' Insurance Court, Nashik in Application (ESI) No. 3 of 2000 is partly modified. While the applicant is held entitled to get permanent disability compensation at the rate 20%, the amount of compensation shall be paid periodically as per the ESI Rules. The First Appeal as well as civil applications stand disposed of in aforesaid terms. No costs.

(A. S. CHANDURKAR, J.)