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

+ W.P.(C) 13700/2018 & CM APPL. 53476/2018

MRS. KASHIMIRI JAIN

..... Petitioner

Through Ms.Namitha Mathew with Mr.Pulkit,
Adv.

versus

MINISTRY OF CIVIL AVIATION AND ORS. Respondent

Through Ms.Anjana Gosain, Adv for R-1 & 2.
Mr.Lalit Bhasin, Adv for R-3.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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18.12.2018

1. After some arguments, learned counsel for the petitioner concedes that there is a statutory remedy available to the petitioner to seek compensation u/s 15 (a) of the Employees Compensation Act, 1923 by approaching the Commissioner, Employees Compensation. She, however, submits that the petitioner being a widow could not approach the aforesaid Commissioner within the prescribed time period of one year as she had been approaching her late husband's ex-employer Air India Express Ltd who has rejected her claim only in January, 2017.

2. Learned counsel for the petitioner therefore, seeks leave to withdraw the present petition with liberty to approach the Commissioner, Employees Compensation for compensation under the Act alongwith an application for condonation of delay.

3. It is expected that, in case, the petitioner approaches the aforesaid Commissioner within one month from today alongwith an application for condonation of delay, the same would be considered sympathetically.

4. The petition is dismissed as withdrawn with liberty as prayed for.

REKHA PALLI, J

DECEMBER 18, 2018

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