

\$~23

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 8199/2017

PARVINDER SINGH MONGA

..... Petitioner

Through: None.

versus

RAKESH KUMAR SHARMA

..... Respondent

Through: Mr. Prashant Bhardwaj, Mr. Anurag
Tirthankar and Mr. Rahul Mehalwal,
Advs.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **04.03.2020**

C.M. No.5297/2020

Despite grant of time, neither has any reply been filed nor is the non-applicant present. The application is taken up for disposal.

This application seeks correction of the name of the workman. The writ petition was disposed of by order dated 14.11.2019 in terms of the settlement arrived at between the parties. As per the terms of settlement, Rs.1,25,000/- lump sum compensation was to be paid to the respondent in full and final settlement of all his claims. Rs.65,000/- has already been paid in terms of orders of this Court by way of three cheques bearing nos. 656813, 656814 and 656815 dated 12.02.2020 which have been duly encashed. The remaining amount of Rs.60,000/- was deposited in an interest bearing FDR in the name of Mr. Rakesh Kumar Sharma. However, the same cannot be encashed because the bank accounts are maintained in the name of Mr. Rakesh

Sharma. The FDR was made in terms of the memo of parties in the writ petition, in claim petition and the Award. However, it was not brought to the Court's notice that the bank account, PAN card and UIDAI card are in the name of Mr. Rakesh Sharma, son of Late Mr. R.D. Sharma. The photographs of the workman pasted on the claim petition matches with his photographs in the PAN card and UIDAI card. The workman is present in Court. His face resembles the picture on record. The learned counsel for the respondent identifies the identity of the claimant.

In view of the above, name in the FDR shall be substituted from Mr. Rakesh Kumar Sharma to Mr. Rakesh Sharma in the account maintained with State Bank of Hyderabad.

The application is disposed of in the above terms.

A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master.

NAJMI WAZIRI, J

MARCH 04, 2020

A