

15.09.2021

ss

F.M.A.T. 695 of 2019
I.A. CAN 1 of 2019 (old No. CAN 6598 of 2019)
I.A. CAN 3 of 2020 (old No. CAN 1812 of 2020)
(Via Video Conference)

M/s. Eritech Limited
Vs.
Sukul Saha alias Shaw

Mr. Victor Chatterjee ...For the appellant

Mr. L. M. Ghosh
Mr. Anup Kr. Roy
Ms. Nandita Baksi ... For the respondent/claimant

The instant appeal has been preferred by the appellant against the judgment and order dated February 26, 2019 passed by the learned Commissioner, 1st Court, Employees' Compensation, West Bengal, Calcutta in Claim Case No.433 of 2010.

The appellant-company has deposited the entire awarded amount of compensation of Rs.5,23,412/- before the Commissioner, Employees' Compensation, West Bengal, Calcutta.

Ultimately, both parties have filed joint compromise petition in this appeal before this Hon'ble Court which is numbered as CAN 1812 of 2019 for disposal of the appeal.

Both parties submit that the matter may kindly be disposed of on the following terms and conditions in terms of paragraph 7 of the joint compromise petition.

- (i) Sukul Saha alias Shaw, the applicant/claimant-respondent will be entitled to get the sum of Rs.3,90,000/- from the Commissioner,

Employees' Compensation, West Bengal, Calcutta in full and final settlement.

(ii) The balance of Rs.1,33,412/- (Rs.5,23,412/- less Rs.3,90,000/-) shall be returned to the appellant-company.

(iii) Upon payment of the aforementioned sum of Rs.3,90,000/-, the applicant/claimant, Sukul Saha @ Shaw shall have no further claim against the appellant-company.

In view of the above submissions, the Commissioner, Employees' Compensation is directed to pay the sum of Rs.3,90,000/- to the applicant/claimant- respondent, Sukul Saha @ Shaw within four weeks from the date of this order and the Commissioner is also directed to return the balance amount of Rs.1,33,412/- to the appellant-company.

With the aforesaid directions the instant appeal and the application being CAN 1812 of 2019 are disposed of.

In view of the disposal of this appeal, other connected applications, if any, are also disposed of. The concerned Department is directed to tag the applications, if any, with the main appeal.

There will be no order as to costs.

L.C.R., if any received in the meantime, be sent down immediately.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of all formalities, on priority basis.

(Shekhar B. Saraf, J.)