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HIGH COURT OF CHHATTISGARH, BILASPUR**M.A.C. No.622 of 2020**

Lalit Devangan, son of Laxmi Prasad Devangan, R/o Village Tahsil Bhantha, Ward No.02, (Sanjay Nagar), Katghora, Tahsil & District Korba (CG).

---- Appellant**Versus**

1. Raj Kumar Patel, son of Rati Ram Patel (died), through Legal Representatives:-

A. Smt. Laxmi Bai Patel, Wife of late Rajkumar Patel, aged about 28 years.

B. Sonal Kumari, Daughter of late Rajkumar Patel, aged about 8 years.

C. Sristi Kumari, Daughter of late Rajkumar Patel, aged about 4 years.

D. Mahi Kumari, Daughter of late Rajkumar Patel, aged about 1 year.

No.B to D are minor through legal Guardian mother Smt. Laxmi Bai Patel (respondent No.1),

All R/o village Arda, Police Station Banki Mongara, Tahsil Katghora, District Korba (CG).

2. Ram Jyoti Jaiswal, son of Pannalal Jaiswal, R/o Shrikant Marg, Behind Ribeck Shows Shop, Near C.M.D. College Bilaspur, Tahsil and District Bilaspur.

----Respondents

For Appellant :Mr. B. Madhava Rao and Mr. Basant
Kaiwartya, Advocates

For Respondents : Not noticed

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****09/02/2021**

(1) Counsel for the appellant submitted that the appellant is not in a

position to deposit the amount payable under impugned judgment dated 09.01.2020 passed by Commissioner for Employees Compensation-cum- Labour Court, Korba.

(2) As per the provisions of Section 30 of the Employee's Compensation Act, 1923, the appeal shall not lie if it is not accompanied by a certificate issued by the Commissioner to the effect that the appellant has deposited with him the amount payable under the order appealed against.

(3) In the case in hand, the appeal is preferred without such certificate. Earlier on 25.01.2021, this Court observed that the appellant is free to deposit the amount under impugned judgement and file a certificate obtained from the Commissioner till today i.e. 09.02.2021, but the appellant failed to do so.

(4) Looking to the provisions of Section 30 of the Employee's Compensation Act, 1923, the appeal is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge

L/-