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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO 278/2024, CM APPL. 49180/2024, CM APPL. 49181/2024 &
CM APPL. 49182/2024**
SMT RINKIAppellant

Through: Mr. Deepak Joshi, Advocate along
with appellant-in-person
versus

SMT GUDDU DEVIRespondent
Through: Mr. Maharshi Kaler, Advocate along
with respondent-in-person

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
05.11.2024

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1. Present appeal has been filed under Section 30 (1) of Employee's Compensation Act, 1923 and impugns order dated 07.06.2024 passed by learned Commissioner whereby the claim petition filed by Smt. Guddu Devi (mother of deceased Vipin) has been allowed and she has been held entitled to receive a sum of Rs. 16,65,275/- as compensation.
2. Impugned order is dated 07.06.2024 but it is apprised that both the parties were already trying to find out amicable settlement of the disputes between them and before they could reduce the terms into writing, learned Commissioner allowed the claim application.
3. In view of the settlement arrived at between the parties, the claimant Smt. Guddu Devi has agreed to settle all her disputes amicably against a total amount of Rs. 2 lacs only and it is also admitted scenario that such sum of Rs. 2 lacs has already been transferred in her account through online banking

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transaction on 12.06.2024.

4. Comprehensive settlement deed dated 28.06.2024 has been placed on record which is signed by both the parties. Both the parties are present in person and they confirm about the terms of settlement.

5. When the claimant was specifically asked about the said terms of settlement and whether she had voluntarily entered into the aforesaid settlement or not to, her answer was in affirmative and she reiterated the terms of the settlement and also stated that she had already received a sum of Rs. 2 lacs and was satisfied with the aforesaid settlement amount and did not want any further amount from the appellant herein. She was also apprised about the claim amount allowed by the learned Commissioner but she seemed firm and adamant in her stand and claimed that the appeal may accordingly be disposed of in terms of the aforesaid settlement.

6. The settlement deed is also accompanied by the affidavits of the parties.

7. According to the appellant, though there was apparent error in the impugned award as there was no relationship of employee and employer between the parties and the victim was only a casual labourer who had been hired by a contractor for doing whitewash job but keeping in mind the overall facts and circumstances of the case and aforesaid settlement, it is submitted by her that the present appeal may be disposed of in view of the aforesaid settlement and she is no longer interested in raising any legal proposition in the present appeal.

8. In view of the aforesaid settlement, the present appeal is disposed of in terms of settlement deed which has been placed on record and since the claimant has restricted her claim only to a sum of Rs. 2 lacs, the amount of



claim is also held as Rs. 2 lacs. Since the aforesaid amount of Rs. 2 lacs has already been received by the claimant towards full and final satisfaction of all her disputes and differences in relation to the unfortunate demise of her son, present appeal stands satisfied in aforesaid terms.

MANOJ JAIN, J

NOVEMBER 5, 2024/dr