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

% ***Date of Decision: 05th November, 2024***

+ **FAO 576/2018, CM APPL. 54154/2018 & CM APPL. 54155/2018**

NISHANT GULATI

.....Appellant

Through: **Mr. Kamlesh Kumar Mishra, Ms. Snigdha, Ms. Chandana Debonath and Mr. Fareeduddin, Advocates**

versus

PARMOD KUMAR YADAV

.....Respondent

Through: **Mr. R.N. Tiwari and Mr. Ajay Kumar, Advocates**

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Present appeal has been filed under Section 30 of Employee's Compensation Act, 1923 by the employer Mr. Nishant Gulati.
2. Workman in question is Mr. Pramod Kumar Yadav (respondent herein).
3. At the very outset, learned counsel for both the sides have informed that matter has been amicably settled and in terms of the settlement, the workman Mr. Pramod Kumar Yadav has already received a cheque in a sum of Rs. 9,45,888/- towards full and final satisfaction with respect to the claim/compensation in question.
4. Learned counsel for appellant Mr. Nishant Gulati also states that in view of the aforesaid settlement, the amount already deposited herein along with interest accrued be returned to the appellant.



5. A copy of the *memorandum of settlement* between the parties dated 14.05.2024 has been shown during the course of the proceedings and it is undertaken by learned counsel for appellant that same would be filed with the Registry during the course of the day.
6. Both the learned counsel, therefore, pray that present appeal may be disposed of in terms of the aforesaid *memorandum of settlement*.
7. Appeal stands disposed of in terms of settlement dated 14.05.2024 and since workman has already received cheque of Rs. 9,45,888/-, the amount, which had been deposited by the appellant herein along with interest accrued thereupon (as transferred from W.P. (C) No. 7363/2019) be returned unconditionally to the appellant herein as appellant has already made the payment of the agreed amount to the respondent by way of the aforesaid cheque.
8. Learned counsel for appellant states that the appellant assures that said cheque, as and when presented by the respondent, would be duly honoured and encashed. Such statement is also taken on record.
9. Appeal stands disposed of in the aforesaid terms.

(MANOJ JAIN)
JUDGE

NOVEMBER 5, 2024/dr