



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**X-OBJECTION NO. 82 OF 2023
IN FA/812/2023**

Ramraj Engineering Pvt. Ltd., Thr Director

VERSUS

Meera Vaijnath Chavan And Anr

...

Mr. A. A. Mukhedkar, Advocate for the Petitioner

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CORAM : ROHIT W. JOSHI, J.

DATED : 28TH MARCH, 2025

PER COURT :-

. Learned Counsel for the appellant states that the appellant/employer is not in a position to deposit the amount of compensation as awarded by the learned Compensation Commissioner.

2. Third Proviso of Section 30 of the Employees Compensation Act, 1923 provides that appeal by an employer under Clause 30(a) shall not lie unless the memorandum of appeal is accompanied by a certificate by the Compensation Commissioner recording that the amount of compensation is deposited. The said provision is held to be a mandatory provision of law in several judgments.

3. In view of non compliance with the said statutory

provision, the appeal stands dismissed, the contention of the learned Counsel for the employer that the provision for pre deposit under Section 30(a) will apply to an appeal and not to a cross-objection is recorded only to be rejected. A cross-objection in an essence is a substantive appeal.

4. In view of the aforesaid, the cross-objection stands **dismissed**.

(ROHIT W. JOSHI, J.)