

Exh O-

BEFORE FOURTH LABOUR COURT MUMBAI

(Presided over by Shri.D. V. JOSHI, Commissioner under
Employees Compensation Act and Judge)

Application (WCA)No.331/I-8/2022
CNR No. MHLCO1-002019-2022

IN

Application (WCA)No.357/B-111/2021

1. **Baijanti B. Singh**
(Aged about 54 years, Widow of Deceased)
2. **Neetu B. Singh,**
(Aged about 34 years, Daughter of Deceased)
3. **Tejbahadur B. Singh,**
(Aged about 32 years, Son of Deceased)
4. **Ankita B. Singh,**
(Aged about 21 years, Daughter of Deceased)
5. **Riteshkumar B. Singh,**
(Aged about 20 years, Son of Deceased)

Residing at :

R/o Bhanu Prasad Gram Post,
Dharawara Jahanaganj Dharawara,
Azamgarh, Dharwara,
Uttar Pradesh- 276 131

...Applicant

Vs.

N.S.S. Logistics India Pvt. Ltd.

Shetty House, Panchsheel Nagar,
Jagani Industrial Estate,
Vasant Patil Marg, Chunabhatti,
Mumbai- 400 022.

...Opp party No.1
(Employer)

And

Go Digit Gen. Insurance Ltd.

Neel Kamal, 4, Kasturba Road,
Near Apna Bazar, Mulund (W),
Mumbai- 400 080.

..Oppo.Party No.2
(Insurer)

Appearance: Advocate A. G. Hulsure for applicant.

DISTRIBUTION ORDER
(Delivered on : 12/12/2022)

(1) The applicants have filed application for distribution of compensation amount of Rs.7,75,000/-.

(2) As per settlement dtd. 25/08/2022 the Application (ECA) No.357/B-111/2021, is settled for an amount of Rs.7,75,000/- as full and final settlement. The insurance company/opponent has deposited compensation amount of Rs.7,75,000/- on 15/09/2022. The applicants are legal heirs and dependents of the deceased. They filed application for distribution of above amount. The applicants are identified by Ld. Advocate Hulsure. The applicant no.1 in support of her identification produced her Aadhar Card and Pan card at Exh. U-10 and U-11, affidavit at Exh U-3, undertaking at Exh U-4, Photo identity of applicant verified by Ld. Advocate Hulsure at Exh U-7, bank passbook at Exh U-12, Annexure-A issued by Sindhudurga Co-operative Bank at Exh U-13, The applicant nos. 2 and 5 filed their Aadhar Cards, Affidavit, undertaking and photo identity from Exh U-17 to Exh U-23. The applicant nos. 2 and 5 have filed their affidavits stating that they are major and not depend on the deceased. Therefore, their share may be given to mother i.e. applicant no. 1.

(3) It is not disputed that, matter is settled and as per settlement the insurance company has deposited amount of compensation. The applicant no. 1 is the widow

of deceased. The applicant nos. 2 to 5 have filed their affidavits and submits that, their shares be given to the applicant no. 1. Therefore, considering the said submission the applicant no. 1 is entitled for the entire amount alongwith interest if any.

(4) I have called report of the office. According to report of the office, as per the settlement order passed in Application (ECA) No.357/B-111 of 2021 the insurance company has deposited amount of Rs.7,75,000/- on 15/09/2022, before the Commissioner for Employees Compensation. The office has also reported that, no appeal or stay is pending against the said claim.

(5) As such the applicant no.1 is entitled for compensation amount of Rs.7,75,000/- alongwith interest if any. Hence, I pass the following order ;

ORDER

1. The amount of **Rs.7,75,000/- (Rupees Seven Lakhs Seventy-Five Thousand Only)** alongwith interest, if any, shall pay to the applicant no.1 **Mrs. Baijanti B. Singh**, as per rule.
2. Office of the Commissioner for Employee's Compensation follow all the rules while distributing the amount.

Sd/-

(D. V. Joshi)

Commissioner under Employees
Compensation Act & Judge,
Fourth Labour Court, Mumbai.

Date : 12/12/2022
VVM/-