

Further Examination in chief by Advocate Deepa Gurav for the applicant:-

10. Contents in the affidavit are true and correct. (Advocate for the applicant requested to give exhibit to the documents filed with list Exhibit U-4. Advocate for opponent No.1 admitted all the documents with list, while advocate for opponent No.2 admitted only the insurance policy. All the documents filed with this list are Xerox copies With no explanation as to why certified copies of such available documents are not filed on record. However, as they are admitted by one of the opponents, they are given Exhibit U-5 to U-9 subject to their admissibility and proof.)

Examination in chief completed.**Cross examination by opponent No.1 by Advocate A.N.Mulla -**

11. Mahendrakumar was my elder son. I say that my son was employed with one company by name Power. My son died on 5 June 2013. I was informed that he died as the tower on which he was working collapsed. I had approached opponent No.1 after the said accident. The opponent No.1 paid ₹3,00,000/- to me. They also assured that more amount will be paid after settlement with the insurance company. My son was 26 years old. My son was getting ₹7,000/- per month as salary.

Cross examination by Advocate G.M.D'mello for the opponent No.2:-

12. I was not present when the accident took place. I did not visit the place of accident. The dead body of my son was sent in wrapped form. I had enquired about the accident with the other colleagues of my son. I was informed that he was given a safety belt at the time of work. He was not given anything else for work. The supervisor did not inform me about any other safety equipments used by my son at the time of

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accident. I have not produced any document to show the age of my son at the time of accident. I have not produced any document to show that my son was employed with opponent No.1. My son used to pay ₹6,000/- for household expenses and was keeping ₹1,000/- for himself. It is not true to say that the amount of ₹3,00,000/- paid by opponent No.1 is adequate and sufficient. It is not true to say that the opponent No.2 is not liable to pay any amount of compensation, interest or penalty.

Cross examination completed.

No re-examination.

R.O.A.C.

Date : 28/01/2025

Sd/-
(Abhijit R. Solapure)
Presiding Officer & Judge
Fourth Labour Court, Thane

