

On S.A.

**Cross Examination By Advocate Deepa Gurav for the applicants:-**

7. The deceased Mahendra was in the employment of opponent No.1 since the year 2012. It is true to say that, the work of transmission line was in progress at Taluka- Sangola, Dist. Solapur in the year 2013. It is true to say that, the deceased Mahendra was assigned duty at Taluka- Sangola, Dist. Solapur in the year 2013. It is true to say that, while deceased Mahendra was on duty one Tower line collapsed on his person due to which his death was caused.

8. The opponent No.1 had drawn the policy from the opponent No.2 to cover workmen. The deceased Mahendra was covered under Insurance policy. It is true to say that, as deceased Mahendra died on duty, the opponent No.1 & 2 are jointly and severally liable for compensation payable to him.

**Cross Examination By Adv.G.M. D'mello for opponent No.2 Insurance company:-**

9. The company is incorporated in the year 2006. In all 15 workers are employed in the company of opponent No.1. At the time of accident around 14 workers were employed in the company of opponent No.1. It is true to say that, the workers were covered under ESIC. It is true to say that, deceased Mahendra was also covered under ESIC. I know Rules and provisions of Workmens' Compensation Act, little-bit. I don't know as to whether, it is the first duty of employer to pay compensation to the workman or not. The first party company paid Rs.3,00,000/- to the family of deceased Mahendra out of humanity and not towards compensation. The

..5..

workmen are provided with safety equipments and measures. I myself and site Engineer monitor as to safety equipments are being provided to workmen. It is not true to say that, at the time of accident deceased Mahendra was not provided safety equipments and measures. It is not true to say that as there is a breach of terms and condition of policy, the opponent No.2 is not liable to pay compensation. It is not true to say that, as opponent No.1 company already paid compensation to the applicants, the insurance company is not liable to pay compensation and interest. It is not true to say that, we have falsely prepared muster roll. It is not true to say that, applicants have filed false claim.

**Cross Examination is completed**

**Reexamination -Nil**

**R.O.A.C.**

Sd/-

**(Dhiraj P. Kale)**

**Commissioner under Employees'**

**Compensation Act and Judge,**

**Fourth Labour Court, Thane.**

**Date : 12/08/2025**

Pps/-