

On S.A.

Examination In chief By Advocate Smt. G.M. D'melo for the opponent No.2:-

7) Affidavit now shown to me. It's contents are true and correct. It is at Exh.C-16. Power of attorney authorizing me to depose before the Court is now shown to me, it bears my signature and signature of Deputy General Manager, Uma Iyer. It is marked as Exh.C-18.

Cross Examination By Advocate Shri. Gurav for the applicant:-

8) It is true to say that, written statement is not signed by me. I have not filed documents on record to show that, applicant was covered under ESI Corporation Scheme. It is true to say that, group insurance policy of the employees working with opponent No.1 issued by opponent No.2. I am not aware as to whether formalities were completed before issuance of policy. It is true to say that, the policy was valid from 02/08/2012 to 01/08/2013. It is true to say that, the applicant was expired that time policy was valid. I am not aware that, opponent No.1 informed to our company about the accident resulted into death of applicant. It is true to say that, relevant documents were sent by opponent No.1 to our office. Our investigating officer investigated the incident and collected all documents from opponent No.1.

9) The insurance company would be liable for compensation if employee is not covered under ESIC. I am not aware whether applicant was covered under ESIC Scheme or not.

Cross Examination By Advocate Shri. A. N. Mulla Opponent No.1:-

10) I am not aware whether our company informed to opponent No.1 as to claim is payable or not. Witness volunteers that, after filing present case we informed about the same. We did not inform in writing, but verbally informed to opponent No.1. If claim is fit then company is liable to pay compensation. It is not true to say that, it is responsibility of

insurance company to pay compensation to employee even though he did not approach.

Cross Examination is completed.

Reexamination - Nil

R.O.A.C.

Date :22/01/2026

pps/-

Sd/-
(Dhiraj P. Kale)
**Commissioner under Employees'
Compensation Act and Judge,
Fourth Labour Court, Thane.**