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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO 294/2022**

**ANIL MADAN AND ANR.**

..... Appellants

Through: **Mr.Chandan Kumar Mandal,**  
**Advocate**

versus

**BHAGWANTI AND ORS.**

..... Respondents

Through: **None.**

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

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**27.02.2023**

**CM.APPL No.49976/2022 (Exemption)**

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

**CM. APPL. No. 49975/2022(Delay in refiling)**

1. The present application has been filed under Section 5 of the Limitation Act on behalf of the appellants seeking condonation of delay of 30 days in refiling the appeal.
2. For the reasons stated in the application, the same is allowed and the delay of 30 days in refiling the appeal is condoned.
3. The application is disposed of.

**CM.APPL. No.8542/2023(Early Hearing)**

1. The present application has been filed under Section 151 CPC on behalf of the appellants seeking early hearing of the appeal.

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2. The appellants claim that subsequent to the passing of order dated 16.08.2022 against them directing deposit of compensation amount, etc., they have been issued with a recovery notice dated 27.12.2022. It is averred that the sole source of income of the appellants' family is a photocopy shop that appellant No.2 is running and they have arranged for deposit of the decretal amount.

3. For the reasons stated in the application, the same is allowed and the present appeal is taken up for hearing today itself.

4. The application is disposed of.

**FAO 294/2022, CM. APPL. Nos.49972-49974/2022 & 8543/2023**

1. By way of present appeal filed under Section 30 of the Employees' Compensation Act, 1923 (hereinafter, referred to as the 'EC Act'), the appellants seek setting aside of the order dated 16.08.2022 passed by learned Commissioner, Employees' Compensation, Delhi whereby the claim petition of respondent Nos.1 and 2/claimants was allowed and the appellants directed to pay compensation amount and funeral expenses, alongwith interest and penalty.

2. Issue notice to the respondents by all permissible modes, returnable on 15.03.2023, the date already fixed.

3. Till the next date of hearing, there shall be a stay on the operation/execution of the impugned order.

**MANOJ KUMAR OHRI, J.**

**FEBRUARY 27, 2023/v**

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