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

+ FAO 357/2025, CM APPL. 81050/2025, CM APPL. 81051/2025, CM APPL. 81052/2025, CM APPL. 81053/2025.

RAM NIWAS PAL

.....Appellant

Through: Mr. Akhlak Ali, Advocate (*through VC*)

versus

CHANDER FULA & ORS.

.....Respondents

Through: Ms. Meghna De, Advocate with Ms. L. Gangmei, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **22.12.2025**

CM. APPL. 81260/2025 & CM. APPL. 81051/2025(Exemptions)

1. Allowed, subject to all just exceptions.
2. Applications are accordingly disposed of.

CM APPL. 81053/2025 (Condonation of delay)

1. This application has been filed seeking condonation of delay of 5 days in filing the appeal.
2. The application will be considered on next date of hearing.

CM APPL. 81052/2025 (Condonation of delay)

1. This application has been filed seeking condonation of delay of 60 days in re-filing the appeal.
2. The application will be considered on next date of hearing.

FAO 357/2025

1. This appeal has been filed under *Section 30 of Employees Compensation Act, 1923* impugning the order dated 27th December 2018 passed by the *Deputy Commissioner (Employees Compensation) North East*



District, Labour Department, Government of NCT of Delhi.

2. As per the impugned order, compensation of Rs. 7,36,680/- along with simple interest @ 12% per annum had been directed against the appellant/employer. Thereafter, appellant/employer filed a Writ Petition being ***W.P. (C) 853/2019*** which was held to be not maintainable in view of the statutory remedy under *Section 30 of Employee's Compensation Act, 1923*.

3. In this respect, this Court passed an order dated 04th August 2025, noting that the petition was dismissed as withdrawn, with liberty granted to appellant/petitioner therein to file the appropriate proceeding.

4. An objection is taken at the very threshold by *Ms. Meghna De*, counsel appearing on behalf of respondent stating that as per *third proviso* of *Section 30 of Employee's Compensation Act, 1923*, the complete 100% amount has to be deposited in order for the appeal to be considered by this Court. *Proviso 3 of Section 30* reads as under:

“30. Appeals

Provided further that no appeal by an employer under clause (a) shall lie unless the memorandum of appeal is accompanied by a certificate by the Commissioner to the effect that the appellant has deposited with him the amount payable under the order appealed against.”

5. Counsel for appellant, in response thereto, submitted that he shall deposit the balance amount within the next four weeks.

6. This appeal shall only be considered, once the said compliance has been done.

7. Other preliminary objections raised by *Ms. De* will be considered only after the said compliance is done by appellant.



8. List on 25th March 2026.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

DECEMBER 22, 2025/RK/sp