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

+ **FAO 361/2025**

UDAY BHAN SINGH

.....Appellant

Through: Mr. Kamal Kant Jha, Mr. Avinash
Singh, Ms. Aishwarya Deep Singh
and Ms. Aakriti, Advocates

versus

BABITA SINGH & ORS.

.....Respondent

Through: Appearance not given

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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14.01.2026

CM APPL. 82444/2025&CM APPL. 82445/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CM APPL. 82446/2025 (Delay of 8 days in re-filing the appeal)

1. By way of the present application, the applicant seeks condonation of delay of 8 days in re-filing the present appeal.
2. For the reasons stated in the above application, the same is allowed and the delay of eight days in re-filing the appeal is condoned.
3. Accordingly, the application stands disposed of.

CM APPL. 82443/2025 (Stay) & CM APPL. 82447/2025 (Exemption from depositing the amount ordered by the Ld. Commissioner)

1. The present appeal has been filed, seeking setting aside of the impugned batch of orders dated 04.02.2025/06.02.2025, 23.05.2025/26.05.2025, and 26.09.2026/01.10.2025 passed by the learned



Commissioner, Employees' Compensation Act, 1923 in case no. ECD/31/ND/2024.

2. *Mr. Kamal Kant Jha*, learned counsel for the appellant contends that the learned Commissioner erred in not appreciating the fact that in the initial claim application filed by the wife of the deceased, the present appellant herein was not impleaded as a party. It is only in the written statements filed by respondent no. 2 herein, i.e., *M/s Spencer Storage Systems* (respondent no. 1 before the learned Commissioner) that the name of the present appellant appears. He submits that initially vide the first order, respondent no. 2, respondent no. 3, and the appellant herein were held jointly and severally liable to pay death compensation to the deceased workman. Later on, a review application was filed by the respondent no. 2, wherein, learned Commissioner vide order 23.05.2025, allowed respondent no. 2's review petition, and accordingly discharged respondent no. 2 from the liability, as a result only the appellant and the respondent no. 3 were held jointly and severally liable to pay death compensation. Subsequently, respondent no. 3 also preferred a review application and he was also discharged from the liability leaving only the present appellant liable to pay the compensation. He submits that there is no evidence recorded except the written statement filed by respondent no. 2 and the appellant's statement recorded during police investigation on registration of the FIR No. 178/2024 at P.S. Alipur, Delhi.

3. Learned counsel for the appellant, on instructions, states that the appellant would deposit 50% of the awarded amount with the Registrar General of this Court within a period of 4 weeks, upon which the said amount shall be kept in auto-renewal FDR, subject to the aforesaid deposit.

4. Accordingly, appellant is directed to deposit 50% of the amount awarded by the Learned Commissioner within a period of four weeks.



5. In light of the submissions made, this court is of the opinion that the present issue requires further consideration.
6. Issue notice to the respondents by all permissible modes, returnable on 29.04.2026.
7. The operation of the impugned orders shall remain stayed subject to the deposit of the aforesaid amount till the final disposal of the present appeal.

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List on 29.04.2026

MANOJ KUMAR OHRI, J

JANUARY 14, 2026

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