



Serial No. 212026:JKLHC-JMU:271

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case:- FAO(WC) No. 21/2023
CM Nos. 137/2024 & 2959/2023

Ahmadullah Kotay and othersAppellant(s)/Petitioner(s)

Through: Mr. Bakht Parvaiz, Advocate.
(Through virtual mode).

Vs

Shakeela Akhter and others Respondent(s)

Through: None.

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(29.04.2024)

1. The respondent No. 1-Shakeela Akhter is the contesting respondent who as a widow came forward seeking compensation under the Employees' Compensation Act, 1923 relating to death of her husband-Fayaz Ahmad Kotay in an accident which occurred on 14.08.2018 in the purported state of being in employment of the respondent No. 4-Harbans Singh.

2. The Commissioner, Employees' Compensation (Assistant Labour Commissioner), Ramban, vide an award dated 24.04.2023 came to award compensation of an amount of Rs. 8,54,280/- (eight lac fifty four thousand two hundred and eighty only) along with interest of Rs. 4,54,000/- (four lac fifty thousand only).

3. The Insurance Company or for that the matter the Employer had not contested the award as a result whereof it is the petitioners claiming themselves to be father and sisters of the deceased workman Fayaz Ahmad Kotay who have come forward to maintain this appeal.



4. The respondent No. 1 appeared through his counsel Mr. Asif Hamid, Advocate and today there is no representation on behalf of the respondent No. 1. Await appearance.

5. In the meantime, Commissioner Employees' Compensation (Assistant Labour Commissioner), Ramban in the event of the respondent No. 1 approaching him seeking release of the deposited compensation of amount unless the entire amount, has been released already, shall release half of the deposited compensation amount in favour of the respondent No. 1 whereas the remaining half of the total compensation amount shall remain in a deposited state. This direction is, however, subject to objections from the other side.

6. List on 05.06.2024.

7. In the meantime, send for the scanned record of file No. 63/D titled **"Shakeela Akhter Vs. United India Insurance Company Ltd. and another"** from the court of Commissioner Employees' Compensation (Assistant Labour Commissioner), Ramban.

(RAHUL BHARTI)
JUDGE

JAMMU
29.04.2024
Shivalee