

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No. 9178 of 2015
arising out of S.L.P. (Civil) No. 18507 of 2015

Kuldeep Singh ... APPELLANT(S)

VS.

Panna Lal & Anr. ... RESPONDENT(S)

J U D G M E N T

Anil R. Dave, J.

1. Leave granted.

2. The appellant before this court is an employee who had made a claim under Workmen's Compensation Act against the respondent-employer, as he had suffered injury in the course of his employment.

3. It was a case of the respondent-employer that the employer had agreed to pay a sum of Rs.1,50,000/- by way of compensation. But the said settlement had not been registered, as required under the provisions of Section 29 of the Workmen's Compensation Act. In view of the above fact when the the employee had approached the Commissioner, the Commissioner had not considered the settlement which had not been registered.

4. After considering the evidence and after looking at the facts of the case, the Commissioner ultimately directed that a sum of Rs.1,31,971/- should be awarded by way of compensation to the appellant-employee, as mentioned in the order passed by the Commissioner.

5. Being aggrieved by the aforesaid order passed by the Commissioner, the respondent-employer approached the High Court and the High Court, by virtue of the impugned judgement set aside the order of the Commissioner in view of the fact that the parties had already settled and the respondent-employer had agreed to pay a sum of Rs.1,50,000/- by way of settlement between the parties.

6. In the process of delivering the judgement, the High Court lost sight of the provisions of Section 29 of the Act, whereby the settlement which had been arrived at between the parties ought to have been registered. As the settlement had not been registered, in our opinion the said settlement could not have been looked into by the High Court or by any other authority.

7. For the aforesaid reason, we set aside the order of the High Court and restore the order of the Commissioner whereby the respondent-employer was directed to pay a sum of Rs.1,31,971 plus interest

and other amount.

8. Accordingly, the appeal is disposed of as allowed. No order as to costs.

.....J.
[ANIL R. DAVE]

.....J.
[ADARSH KUMAR GOEL]

New Delhi;
30th October, 2015.



JUDGMENT