

**PUBLIC GRIEVANCES COMMISSION**  
**GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI**  
**I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-**  
**110110**  
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**Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR**  
**dated 25.9.97**

Date of hearing: 02.08.2021

Complainant : Sh. Mohd. Afzal  
Respondent : District Magistrate (South West),  
Revenue Deptt. GNCTD  
Through  
Inspector Ajay Sharma,  
SHO/Najafgarh

Grievance No. : PGC/2019/A.II/Rev./13

**1. Brief facts of the case**

1.1 *The General Secretary, Delhi Pradesh Kamgaar Ekta Sangh (Regd. No. 4431) has filed a grievance petition in respect of Md. Afzal with regard to non-recovery of Employees Compensation amount as per order dated 23.12.2015 of Commissioner, Employees Compensation Act, 1923, directing the respondent i.e. M/s. M.N. Sharma, M/s. M.S. Engineering Works, Plot No. 234, Nangli Sakrawati, Najafgarh, New Delhi – 110043 to deposit amount of compensation of Rs. 7,05,219/- along with interest @ 12% p.a. from the date of accident till the realization of the amount within 30 days from the date of order. It is further stated that the said recovery was to be done through Dy. Commissioner (South-West), Revenue Department, GNCT of Delhi. The same has not been done even after a lapse of four (04) years.*

*It is further stated in the complaint that the Proprietor of the said firm runs his business from a rented building. The address of the firm was also intimated in the Office of Dy. Commissioner (South-West) but the same was misplaced by them. Further, the file was again made on the basis of photocopy of the relevant documents and relevant details of the Proprietor of the firm was also given to Tehsildar but no action has been taken so far in the matter.*

*The complainant has requested for Commission's intervention in passing appropriate directions to the respondent department for prompt action in the matter.*

2. **Facts emerged during the proceeding:**

2.1 *Shri Ajay Sharma, SHO/Najafgarh stated that the last hearing held on 5.7.2021, Shri Sanjiv Tiwari, representative of the complainant had given reference of two persons, Shri Vinod Mishra and Shri Vinod Kumar Sinha, who might be having knowledge about whereabouts of the Judgement Debtor. He filed a status report stating that in compliance with directions of Member (PGC) on 5.7.2021, Shri Vinod Mishra and Shri Vinod Kumar Sinha were called and examined to ascertain whereabouts of Shri M.L. Sharma, owner of judgement debtor firm. Both the persons had no knowledge of the whereabouts. Copy of statements of both the persons were appended with the status report filed at today's hearing. Despite sincere efforts, Shri M.L. Sharma, owner of debtor judgement firm could not be traced.*

2.2 *Shri Sanjiv Tiwari, representative of the complainant stated that judgement debtor firm had issued a cheque in favour of a firm. Copy of cheque was submitted by him at today's hearing, which mentions name of the bank, account number of the judgement debtor firm. The cheque was found to be undated.*

3. **Directions**

3.1 No representative from District South-West/office of SDM/Dwarka was present at today's hearing. This is brought to the notice of District Magistrate /South West for appropriate action.

3.2 Despite efforts by police, whereabouts of judgement debtor firm could not be traced. Efforts were made to trace the whereabouts through the service provider of mobile numbers, EPFO and local enquiry but no whereabouts of the judgement debtor is available.

3.3 At today's hearings, the representative of the complainant furnished copy of a cheque, issued by M/s. M.S. Engineering Works. This cheque is of Oriental Bank of Commerce, Thana Road, Najafgarh, New Delhi-110043 having account number 14071131001986. SDM/Dwarka shall have this account number examined from the concerned bank and make efforts to trace the judgement debtor firm, by going

through bank records, which might contain the address of the firm. If the judgement debtor is traced, the Recovery Certificate shall be executed. A status report in the matter regarding traceability of judgement debtor through Bank Record shall be submitted in the Commission on 24.8.2021.

3.4 The complainant /representative of the complainant shall inform the present address of the Judgement Debtor firm to SDM/Dwarka. Presently,the judgement debtor firm is not traceable and hence, the Recovery Certificate cannot be executed.

With the above observations/directions, the instant grievance case is ordered to be closed in the Commission.

**( SUDHIR YADAV )**

**MEMBER (PGC)**

PGC/2020/A.II/Rev./13

Dated:

1. District Magistrate (South-West ), Revenue Department, Govt. of NCT of Delhi, Old Terminal Tax Building, Kapashera, New Delhi.
2. Sub-Divisional Magistrate (Dwarka), Revenue Department, District South-West, GNCT of Delhi, Sector-10, Dwarka, Near Metro Station, New Delhi.
3. SHO (Najafgarh), Police Station Najafgarh, New Delhi-110043
4. Md. Afzal
5. Shri Sanjeev Kumar Tiwari, E-3, Shop No. 2, Sitapuri, Part-1, Dwarka Road, Dabri (Opposite Dada Dev Hospital) New Delhi-110045