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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 14366/2021**

RAZIA BEGUM

..... Petitioner

Through: Mr. R.K. Nain, Advocate  
(M:9312070470)

versus

COMMISSIONER EMPLOYEES COMPENSATION  
& ORS.

..... Respondents

Through: Mr. Sameer Vashisht, ASC, CIVIL-  
GNCTD with Ms. Sanjana Nangia,  
Advocate for R-1 (M:9818280821)  
Mr. Rajneesh Mishra, Advocate for  
R-2  
Mr. Abhishek Kumar Gola, Mr.  
Suhail Singh & Ms. Aastha,  
Advocates for R-3 (M:9810238083)  
Mr. Ripu Daman Bhardwaj, Special  
P.P., CBI

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

% **19.04.2022**

1. This hearing has been done through hybrid mode.
2. Vide previous order dated 27th January, 2021, the Rajasthan police was directed to conduct further investigation in an expeditious manner, into the whereabouts of the Employee-Driver, Mohd. Parvez, and supply a final status report to the Respondent No.1/GNCTD, to place the same before this Court. Pursuant to the said direction, a status report dated 7th April, 2022 has been handed over to the Court. The same has been filed by the SHO, P.S. Shahjahanpur, District-Bhiwadi, Rajasthan. However, the said report is also inconclusive.

3. On behalf of the Respondent No.3-M/s. United India Insurance Co. Ltd., it is submitted by Mr. Abhishek Gola, Id. Counsel that the Employee-Driver of the truck bearing No. HR-47A-3550, would be covered by insurance, provided that the Respondent No.2-Employer deposits the money with the Respondent No.3, in terms of the insurance policy which has been taken by the Employer.

4. Mr. Rajneesh Mishra, Id. Counsel appearing on behalf of the Respondent No.2-Employer submits that ever since the Driver and the truck went missing, the Respondent No.2-Employer has been running from pillar to post to get the FIR registered. The truck was spotted for the last time on 19th February, 2018, when the CCTV captured its movement in Shahjahanpur, District-Bhiwadi, Rajasthan. He submits that even the truck was not recoverable initially for several months, and it is only pursuant to the order of the Id. Sessions Judge, District-Alwar that the truck along with the goods were released. However, the goods, which were tyres, were found to be completely unusable, and the driver has still not been found. He submits that finally, **FIR No.98/2018** under Section 406 of IPC at P.S. Wazirganj, District- Badaun, Uttar Pradesh and **FIR No. 256/2018** under section 406 of IPC at P.S. Shahjahanpur, District- Bhiwadi, Rajasthan, were registered. However, no proper investigation has been conducted and the whereabouts of Mohd. Parvez remains unknown, till date.

5. It appears to this Court that the police authorities of all three states being Haryana, Rajasthan, and Uttar Pradesh are simply dragging their feet. The Petitioner- Smt. Razia Begum, who is the widowed mother of the missing Employee-Driver, has been unable to obtain any monetary compensation or any closure in this matter. Accordingly, it is deemed

appropriate to hand over the investigation in this matter, pursuant to the two FIRs, being ***FIR No.98/2018*** and ***FIR No.256/2018***, to the Central Bureau of Investigation (CBI). Copy of this order be served upon Mr. Ripu Daman Bhardwaj, Special P.P., CBI.

6. After conducting proper investigation, let the CBI place a status report on record, within eight weeks. The Investigation Officer, if any, appointed by the CBI is permitted to contact the Id. Counsels, whose mobile numbers are mentioned herein, for any further details relating to the present case.

7. In the meantime, considering the financial status of the Petitioner whose son is missing, it is deemed appropriate to direct release of a sum of Rs.3 lakhs in favour of the Petitioner as interim compensation. Let the said amount be deposited by the Respondent No.3-M/s. United India Insurance Co. Ltd. before the Commissioner, Employees' Compensation, Labour Department, GNCTD, within three weeks. The Commissioner shall release the amount deposited, in favour of the Petitioner after verifying her identity. It is made clear that this shall be without prejudice to the rights and contentions of the Respondent No.3.

8. This is a part-heard matter.

9. List on 27<sup>th</sup> July, 2022.

**PRATHIBA M. SINGH, J.**

**APRIL 19, 2022/aman/AD**