

petitioner has to file the present writ petition for implementation of the industrial award in his favour.

3. In response to the notice of this writ petition, counter affidavit has been filed by respondent No. 3 against whom the industrial award was passed by the Tribunal in favour of the petitioner workman. The respondent No. 3 has taken a preliminary objection to the implementation of the award in favour of the workman. The objection of respondent No. 3 is that the respondent No. 3 has succeeded to the Board of Ayurvedic and Unani System of Medicines, Delhi State, w.e.f. 01.01.2001 and since the respondent No. 3 which is a successor entity was not a party to the proceedings before the Labour Court, the award in favour of the petitioner is not binding on it.

4. This argument is wholly mis-conceived. It appears that the authorities in respondent No. 3 Parishad are trying to disown the award in favour of the workman for no rhyme or reason. The respondent No. 3 itself has stated in para 1 of the preliminary submission in its counter affidavit that it had succeeded to all the assets and liabilities of the erstwhile Board which as per its own admission were transferred to the respondent No. 3 Parishad. The award in favour of the petitioner against the erstwhile Board was also one of the items of liability of the Board which stood transferred to respondent No. 3 Parishad. The respondent No. 3 is therefore, duty bound to implement the industrial award in favour of the petitioner workman because the said award by now has attained finality. The respondent No. 3 is given four weeks time to take necessary steps for implementing the industrial award in favour of the petitioner workman failing which respondents No. 1 & 2 are directed to execute the recovery certificate dated 02.05.2006 by attachment of bank account of respondent No. 3 and also to initiate prosecution against the

management of respondent No. 3 in view of provisions contained in Section 25 U and T read with Section 29 of the the Industrial Disputes Act, 1947.

5. This writ petition stands disposed of in terms referred above.

Order dasti to all the parties.

OCTOBER 29, 2009
'BSR'

S.N.AGGARWAL, J