

Court No. - 40

Case :- WRIT - C No. - 36275 of 2023

Petitioner :- Smt Kaushal

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Satya Deo Ojha

Counsel for Respondent :- C.S.C

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard learned counsel for the petitioner and Sri S.C. Upadhyay, learned Additional Chief Standing Counsel for the State respondents.

2. By means of instant writ petition the petitioner has prayed for mandamus directing the respondent no.2 to pay the compensation under the Building and other Constructions Workers Welfare Scheme to the petitioner.

3. Learned counsel for the petitioner submits that the husband of the petitioner, who was a registered labour under the Building and other Constructions Workers Welfare Board had died on 09.05.2022 while working as a labour and after his death, initially the petitioner has submitted her claim for compensation on 25.06.2022 before the respondent no.2, Labour Commissioner, Uttar Pradesh Bhawan Evam Sannirman Karmkar Kalyan Board, Shamli and when no action was taken she has again moved applications on 06.01.2023 and 11.01.2023 but nothing has been done till now.

4. Learned Standing Counsel states that in case, the petitioner moves a fresh application before the competent authority, definitely the same would be considered as per law.

5. Considering the facts and circumstances, without advertng on merits and with the consent of parties, the writ petition is ***disposed of*** permitting the petitioner to file a fresh application before the respondent no.2 ventilating her grievance within two weeks. In case, any such application is filed, we hope and trust that the same would be processed by the respondent no.2, Labour Commissioner, Uttar Pradesh Bhawan Evam Sannirman Karmkar Kalyan Board, Shamli expeditiously, strictly in accordance with law, preferably within a period of four weeks from the date of its receipt along with certified copy of this order.

Order Date :- 30.11.2023

S.P.