

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON
&
THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

WA.No. 214 of 2009

AGAINST THE ORDER IN R.P. NO.1015/2008 IN WP(C) 36430/2005 of HIGH
COURT OF KERALA DATED 14-01-2009

APPELLANT/REVIEW PETITIONER/PETITIONER

P.PRAKASH KUMARAN, MATHAS,
NARAYANA NAGAR, VADAKARA, KOZHIKODE DISTRICT.

BY ADVS. SRI.C.VATHSALAN
SRI.K.RAKESH ROSHAN
SMT.THUSHARA.V

RESPONDENTS/RESPONDENTS/RESPONDENTS:

1. ASSISTANT LABOUR OFFICER.GR.I, ASSESSING
OFFICE AS PER BUILDING & OTHER CONSTRUCTION
WORKERS WELFARE CESS ACT, CIVIL STATION, KOZHIKODE.
2. THE SECRETARY,BUILDING & OTHER
CONSTRUCTION WORKERS WELFARE BOARD
THIRUVANANTHAPURAM.
3. THE SECRETARY,VADAKARA MUNICIPALITY
VADAKARA, KOZHIKODE DISTRICT.

R3 BY ADV. SRI.R.SATISH KUMAR
BY GOVERNMENT PLEADER SRI.P.P.PADMALAYAN

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 22-05-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**P. R. RAMACHANDRA MENON
&
BABU MATHEW P. JOSEPH, JJ.**

W. A. No.214 of 2009

Dated this the 22nd day of May, 2015

JUDGMENT

P. R. Ramachandra Menon, J.

This appeal preferred against the order dated 14/01/2009 in R.P. No.1015 of 2008 in W.P.(C) No.36430 of 2005 was dismissed for non-prosecution as per order dated 1st June, 2011. Subsequently, on filing MJC No.37 of 2012, the matter was considered and on allowing the same as per order dated 19/01/2012, the appeal stands restored, after condoning the delay of 194 days in filing the MJC. When the matter came up for hearing yesterday, it was sought to be adjourned at the instance of the appellant, to be listed today. There is nobody to represent the appellant when the case is taken up for hearing today. It appears that the party has lost interest in the cause of action. Accordingly, the appeal is dismissed for non-prosecution.

Sd/-
**P. R. RAMACHANDRA MENON
JUDGE**

Sd/-
**BABU MATHEW P. JOSEPH
JUDGE**

kns/-

//TRUE COPY//

P.A. TO JUDGE

