

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 25TH DAY OF FEBRUARY 2015/6TH PHALGUNA, 1936

WP(C).No.2039 of 2015 (D)

PETITIONERS:

1. **DASAN,S/O.NARAYANAN,AGED 60 YEARS,
NELLIPPILLIL HOUSE,SATHRAPADY KARA,
KUTTAMPUZHA VILLAGE,KOTHAMANGALAM TALUK.**
2. **PARUKUTTY,W/O.DASAN,AGED 56 YEARS,
NELLIPPILLIL HOUSE,SATHRAPADY KARA,
KUTTAMPUZHA VILLAGE,KOTHAMANGALAM TALUK.**

BY ADV.SRI.T.RAJESH

RESPONDENTS:

1. **THE INDUSTRIAL TRIBUNAL,PALAKKAD,
OLVAKODE JUNCTION,PALAKKAD DISTRICT-678002.**
2. **INDIAN OIL CORPORATION,REPRESENTED BY
CHIEF MANAGER,PANAMPILLY NAGAR,COCHIN-682016.**
3. **THE DISTRICT COLLECTOR,ERNAKULAM,
COLLECTORATE,KAKKANAD,ERNAKULAM-682030.**

***ADDITIONAL 4TH RESPONDENT IMPEADED.**

**ADDL.4.THE WORKMEN COMPENSATION COMMISSIONER,
(JOINT LABOUR COMMISSIONER),
JOINT LABOUR COMMISSIONER'S OFFICE,
AYYANTHOLE,THRISSUR.**

***ADDL.R4 IMPEADED AS PER ORDER DATED 28.01.2015 IN IA 1005/15.**

**R1,R3 & R4 BY SENIOR GOVT. PLEADER SRI.BIJU MEENATTOOR.
R3 BY SRI.M.GOPIKRISHNAN NAMBIAR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No.2039 of 2015 (D)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT P1:THE TRUE COPY OF THE ORDER OF THE COMMISSIONER OF
EMPLOYEES COMPENSATION DATED 29.1.2013.**

**EXHIBIT P2:A TRUE COPY OF THE PETITION FIELD AS E.L.NO.742 OF 2014
BEFORE THE IST RESPONDENT.**

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

pk

K.VINOD CHANDRAN, J.

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W.P(C) No.2039 of 2015

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Dated this the 25th day of February, 2015

JUDGMENT

The petitioners are aggrieved with the delay in recovery of the amounts awarded as per Ext.P1. The petitioners are the parents of the deceased employee, who was the work man of a hotel, in which on an accident occurred due to the explosion of gas cylinders. The son of the petitioners suffered a fatal injury.

2. The petitioners had filed a Workmens Compensation Case, which along with other cases was considered and decided by Ext.P1, in which certain amount of compensation was awarded to the petitioners, which was specifically directed to be paid by the 2nd respondent herein. Admittedly, Ext.P1 has acquired finality.

3. In such circumstances, definitely the 2nd respondent would have to pay off the amounts. Especially taking note of the fact that the 2nd respondent is a public sector undertaking and also a declared 'Navaratna' Company, the

2nd respondent would have to pay off the amounts expeditiously. In such circumstances, the 2nd respondent is granted one month's time to comply with Ext.P1 order and make deposit of the entire amounts with interest due, till the date of payment, before the 1st respondent. It is also submitted by the learned counsel for the 2nd respondent that 50% of the amounts due with interest have already been remitted before the authority. The 1st respondent shall take immediate steps to disburse the amounts, at any rate, within a period of 'one month' from today.

Writ Petition allowed. No costs.

Sd/-

K.VINOD CHANDRAN, JUDGE

vdv