

HIGH COURT OF CHHATTISGARH, BILASPUR

WPL No. 80 of 2013

1. State Of Chhattisgarh, through its Secretary, Government of CG, Department of Forest, Mahanadi Bhawan, New Mantralaya, Naya Raipur, PS Mandir Hasoud, Dist. Raipur (CG).

(Petitioner No.1 was not a party before the learned Labour Court, but has been impleaded as petitioner No.1 herein as it is necessary to implead the State Govt. through the Secretary of concerned Department).

2. Divisional Forest Officer, Forest Division, Kawardha, Dist. Kabirdham (CG).

---- Petitioner

Versus

1. Ram Nihora, S/o Shri Darbal Lal Soni, aged about not known to the petitioner, R/o Ganesh Chowk, Raju Nagar, Chingraj Para, Bilaspur, Dist. Bilaspur (CG), PS Sarkanda, Bilaspur.
2. The Presiding Officer Under I.D. Act, Labour Court, Rajnandgaon, Distt. Rajnandgaon (C.G.)

---- Respondent

For Petitioners/State	Shri R.K. Gupta, Dy. Adv. General
For Respondent No.1	Shri K.P.S. Gandhi, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

25/01/2016

1. At the very outset, learned counsel appearing for the respondent No.1 would submit that the respondent No.1 has died on 6-5-2014.

2. Since the relief allowed in favour of the respondent No.1 is only for reinstatement without backwages and such relief is not available for execution in his favour, the writ petition has been rendered infructuous.
3. Accordingly, the writ petition is dismissed as having become infructuous, however, in the event of necessity, the State/petitioner would be at liberty to move appropriate application for recalling of this order.
4. In pursuance of the order passed by the Labour Court, the respondent No.1 was reinstated and employed at the time of his death, therefore, any dues remaining unpaid may be disbursed in favour of his legal representatives in terms of Section 17-B of the Industrial Disputes Act, 1947, if any. Sd/-

Judge

Prashant Kumar Mishra

Gowri