

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.5463 OF 2016

Das Offshore Engg. Pvt. Ltd. : Petitioner.
versus
Rajan Kattappan Krishnan and ors. : Respondents.

Mr. V V Walawalkar with Mr. Suresh Sabrad for the Petitioner.

CORAM : R. M. SAVANT, J.
DATE : 14th October 2016

P.C.

1 The writ jurisdiction of this Court is invoked against the order dated 10/12/2015 passed by the learned Commissioner for Employees' Compensation & Judge, Sixth Labour Court, Mumbai by which order, permission was granted to the Respondent Nos.1 and 2 herein to withdraw the Application which was filed before the learned Commissioner for Employees' Compensation with liberty to file it afresh before the proper forum.

2 The Respondent Nos.1 and 2 are the claimants who had filed Claim Application under the Employees' Compensation Act on account of the death of their son who was working with the Petitioner in one of its offshore sites at Bombay High. The Respondent Nos.1 and 2 being from Kerala filed a Purshis for withdrawal of the said Application with liberty to file it before the appropriate forum in Kerala.

3 The learned Commissioner for Employees' Compensation allowed the said Application on the ground that it would be convenient for the Respondent Nos.1 and 2 who are residing in Kerala to prosecute the said Application at the place where they are residing.

4 In my view, having regard to the nature of the order passed by the learned Commissioner for Employees' Compensation, Mumbai no interference in the writ jurisdiction of this Court is warranted. The above Writ Petition is accordingly dismissed.

[R.M.SAVANT, J]