

HONOURABLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION Nos.2996 and 8563 of 2005

COMMON ORDER:

Both the Writ Petitions are filed seeking certain benefits that are payable to employees on account of disability caused during the course of their employment and as per the said scheme which is in force, dependent/s of an disabled employee is entitled to employment.

I have heard the learned counsel for the parties.

It is stated by the respondents that the dependents of the petitioners are not eligible to be appointed in their place as they have not fulfilled the criteria under the scheme and, therefore, the employment could not be given to them. It is further submitted by the respondents that in such case of not providing employment to the dependents, other option is available to such employees which is one time payment of ex gratia in lieu of dependent employment.

After having heard the learned Counsel appearing on either side, it is felt that instead of providing alternative employment to the dependents of the employees, one time settlement available in the respondent company of 12.50 lakhs towards ex gratia, the respondents shall pay to the employees in lieu of providing employment to the dependents of the petitioners.

Accordingly, both the Writ Petitions are disposed of directing the respondents to pay a sum of Rs.12.50 lakhs (Rupees Twelve Lakhs and Fifty Thousands only) to each of the petitioners towards one time lump sum ex gratia in lieu of providing employment to the dependents of the writ petitioners. No order as to costs.

Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.JAISWAL, J

11-02-2016

Gsn