

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.5800 OF 2016

-

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a Writ, Order, or Direction, more particularly one in nature of Writ of MANDAMUS directing the Respondent No.1 to consider and dispose off the Application dated 12-8-2015 filed by the Petitioner under Rule 20 of Workmen's Compensation Rules, 1924 in W.C.No.20 of 2013 for payment of compensation under the Act, wherein the 151 Respondent allowed W.C.No.20 of 2013 by order dated 27-10-2014 and consequently declare the inaction of the Respondent No.1 in passing orders for executing the order in W.C.No.20 of 2014 dated 20-10-2014 as bad in law and violative of Principles of Natural Justice, in the Interest of Justice and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.”

2. Heard Sri B.Sudhakar Reddy, learned counsel, appearing for the petitioner and learned Government Pleader for the respondents.
3. When the matter is taken up, a preliminary objection is taken by the learned Government Pleader by contending that the application filed by the petitioner under Rule 20 of the Workmen Compensation Rules, 1924 is not the appropriate application and it is open for the petitioner to file an application under Section 31 of the Employees' Compensation Act.
4. While noticing the same, it is requested by learned counsel for the petitioner that the petitioner herein may be permitted to file necessary application under appropriate provision of law i.e., Section 31 of the Employees' Compensation Act.

5. Recording the said submission, Writ Petition stands disposed of, keeping it open for the petitioner herein to file necessary application, for redressal of his grievance as per law, within a period of one month from the date of receipt of a copy of this order and if any such application is filed, the same be considered and appropriate orders be passed by the 1st respondent, within a period of two months thereafter as per law.

6. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

09.03.2016

SS