

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Civil Miscellaneous Appeal No.167 OF 2005

JUDGMENT:

In fact, the learned Standing Counsel for the Appellant-Opposite Party-The General Manager, Singareni Collieries Company Limited, Sri Rampur Division, Mancherial Mandal, Karimnagar District, advanced arguments elaborately. It is stated that the deceased was working as workman in Singareni Collieries and on a particular day while he was on duty when Bandh call given by the extremists, the extremists called him out and when he came out he was shot dead. On this ground, the learned Standing Counsel would submit that the Commissioner for Workmen's Compensation and Assistant Commissioner of Labour, Warangal-1, went wrong in awarding compensation of Rs.2,19,950/-.

2. Be that as it may, the learned Standing Counsel for the appellant would however does not dispute, that the present Appeal was dismissed for default on 4.1.2012 against the 1st respondent, legal heir of the deceased, being the applicant. The 2nd respondent is only the authority i.e., the Commissioner for Workmen's Compensation and Assistant Commissioner of Labour. The learned Standing Counsel admits that no steps were taken to get the *ex parte* dismissal order against the 1st respondent is set aside. In such an event, certainly, any amount of argument would be of no avail to the appellant.

3. Therefore, the present Appeal is dismissed confirming the order under challenge. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the Civil Miscellaneous Appeal shall stand closed.

A. SHANKAR NARAYANA,J

Dt. 09.10.2017
gbs

