

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (L) No. 3308 of 2010**

1. State of Chhattisgarh, Through: Assistant Director Horticulture, Near Forest Office, Raigarh (C.G.)
2. Garden Superintendent, office of Horticulture Nursery, Boirdadar, Raigarh (C.G.)

---- Petitioner**Versus**

1. Smt. Kasil Rathia, Wd/o Late Sitaram Rathiya, aged about 45 years, R/o Village Vijaypur, P.S. Chakradhar Nagar, Tahsil and District Raigarh (C.G.)
2. The Labour Court, Raigarh (C.G.)

---- Respondent

For Petitioners : Mr. Gary Mukhopadhyaya, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****18/07/2018**

- (1) Respondent No.1 Sitaram was directed to be reinstated by award of Labour Court dated 22.12.2009, against which writ petition was preferred, in which, on 28.08.2010, interim order was granted subject to compliance of Section 17-B of the Industrial Dispute Act.
- (2) During pendency of this writ petition, respondent No. 1 – Sitaram has died on 29.04.2013. In the impugned award dated 22.12.2009, only reinstatement has been granted and no backwages has been granted.
- (3) Since the award has already been stayed subject to compliance of Section 17-B of the Industrial Disputes Act and the respondent No. 1/employee has died, no cause of action survives for consideration.
- (4) Consequently, the writ petition stands finally disposed of.

Sd/-
(Sanjay K. Agrawal)

Judge

