

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (L) No. 4900 of 2011**

M/s P.D. Bidi Company, through power of attorney holder of partners, Prem Kumar Yadav, S/o Maikulal Yadav, aged about 62 years, R/o Bastar Road, Dhamtari, Tahsil & District Dhamtari (C.G.)

---- Petitioners

Versus

1. Appellate Authority under the Payment of Gratuity Act, 1972 and In-charge Deputy Labour Commissioner, Chhattisgarh, Raipur, Office of the Labour Commissioner, Chhattisgarh, Raipur (C.G.)
2. Controlling Authority and Assistant Labour Commissioner, Raipur (C.G.)
3. Shiv Kumar, S/o Mohan Lal Sahu, R/o Village Danitola, District Dhamtari (C.G.)

---- Respondents

For Petitioners	: Shri S.S. Baghel, Advocate.
For Respondents	: None.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

19/04/2018

(1) Learned counsel appearing for the petitioner would submit that issue involved in this writ petition is identical to the order passed by this Court in Writ Petition (L) No. 4898 of 2011 {M/s P.D. Bidi Company Vs. Appellate Authority under the Payment of Gratuity Act, 1972}, decided on 02.01.2018 , therefore, instant writ petition may be disposed of in terms of paragraph 5 of the aforesaid order, which read as under:-

“ 5. On merits, the Petitioner has not furnished any valid ground for not appearing despite service of notice. The opportunity to assail the ex-parte order was also wasted away by not complying with the statutory requirement of pre-deposit. The Court finds no reason to interfere. An identical Writ Petition (L) No. 4897 of 2011 has also been decided by this court vide order dated 21.01.2016, wherein similar view has been taken.”

(2) Accepting the submissions made by learned counsel appearing for the petitioner, this writ petition is dismissed in terms of paragraph 5 of the order passed by this Court in Writ Petition (L) No.4898 of 2011 {M/s P.D. Bidi Company Ltd. (supra)}

Sd/-

(Sanjay K. Agrawal)

Judge

D/-