

THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.19844 of 2001

ORDER:

The petitioner claims to be the workman of the 2nd respondent company limited. Due to accident in the course of employment, he filed a petition in W.C.No.5 of 1996 before the 1st respondent Authority under Workmen Compensation Act, 1925 (for short "the Act"). The 1st respondent passed an order on 28.09.1996 awarding compensation of Rs.44,618/- and directing the 2nd respondent to deposit the same by way of demand draft in favour of the Commissioner for Workmen's Compensation, Kurnool Region within 30 days. It seems that due to mistake occurred in the award, the said award was modified and passed an order awarding Rs.54,618/- after giving notice to the 2nd respondent. As the 2nd respondent failed to deposit the amount, the petitioner filed execution petition under Sections 4-A(3) and 31 of the Act before the 1st respondent. Complaining the inaction of the part of the 1st respondent in proceeding with the E.P, this writ petition is filed seeking a direction to the 1st respondent to take further action in pursuance to the petition filed by the petitioner under Sections 4-A(3) and 31 of the Act, dated 12.09.2000, received by the 1st respondent on 14.09.2000.

On instructions, the learned Assistant Government Pleader has submitted that vide letter No.A/2500/2017, dated 26.12.2017, the 1st respondent requested the District Magistrate & Collector, Chittoor to recover the amounts from the 2nd respondent as arrears of land revenue and the amounts so recovered may be sent by way of demand draft in

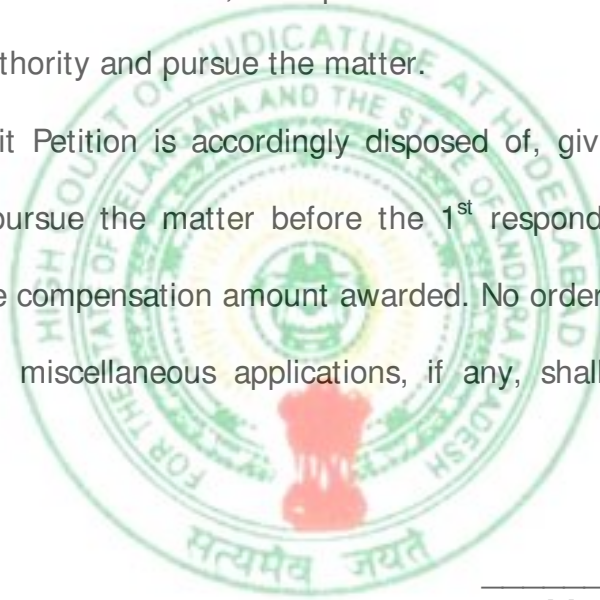
favour of the Commissioner for Workmen's Compensation, Kurnool Region.

The learned Government Pleader has also placed a letter before this court, addressed by the 1st respondent to the petitioner, vide letter No.A/2500/2017, dated 20.03.2018, wherein the 1st respondent stated that the 2nd respondent-Leena Textiles was sold to Variety Polyesters Limited, and directed the petitioner to identify any immovable properties of the 2nd respondent-Leena Textiles enabling them to recover the amount.

In view of the above, the petitioner has to approach the 1st respondent Authority and pursue the matter.

The Writ Petition is accordingly disposed of, giving liberty to the petitioner to pursue the matter before the 1st respondent Authority for recovery of the compensation amount awarded. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.



M.GANGA RAO,J

Date: 05.06.2018
Dsr