

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.6737 OF 2005

ORDER

This writ petition is filed seeking the following relief:

“..to issue a Writ or order or orders or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent's inaction in payment of the petitioner medical reimbursement claims disablement leave period of 25% and injury disablement compensation in terms of Medical Board Certificate, dated 22.3.2001 with reference to accident report form No.1115, dated 9.7.1997 and Form No.001801, dated 7.11.1998 is illegal, arbitrary, unconstitutional and against the principles of natural justice where the petitioner has incurred huge loss of finance and mental agony, consequently direct the respondent (i) to pay the medical reimbursement claims as incurred by the petitioner (ii) to pay the disablement leave period of 25% encashment (iii) to pay permanent disablement compensation of Rs.10 lakhs in terms of the Medical Board Certificate and other relief with accurate interest and pass such other and further order or orders.”

Learned counsel appearing for the petitioner submits that in spite of repeated requests made by the petitioner, the respondent has not settled the said benefits.

Learned Standing Counsel appearing for the respondent contends that pursuant to the interim order granted by this Court on 28.6.2005 in WPMP No.8966 of 2005, case of the petitioner was considered and rejected *vide* dated 7.10.2005.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that

ends of justice would be met if a direction is given to the respondent to re-consider the case of the petitioner.

Accordingly, the Writ Petition is disposed of directing the respondent to re-consider the case of the petitioner and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

30th October, 2018
rkk

