

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.5622 of 2008

ORDER:

When the matter is taken up for hearing, it is brought to the notice of this Court that the 1st respondent-workman had expired during pendency of this Writ Petition and the petitioner-Corporation had not taken any steps to bring the legal representatives of the deceased employee on record. Moreover, even on merits, the petitioner-Corporation is challenging the order, dated 28.11.2006, passed by the Industrial Tribunal in I.D.No.127 of 2003, in favour of the 1st respondent-workman and during pendency of this writ petition, the petitioner-Corporation reinstated the 1st respondent-workman into service and after reinstatement, the 1st respondent-workman expired. The petitioner-Corporation has complied with the orders passed by the Industrial Tribunal. At this stage, this Court cannot decide the case on merits in the absence of the 1st respondent-workman, who expired.

3. In view of the same, the Writ Petition is dismissed. It is needless to say that the benefits to which the 1st respondent-workman is entitled, be paid by the petitioner-Corporation to the legal representatives of the deceased 1st respondent-workman, within a period of four (4) weeks from the date of receipt of a copy of this order.

Miscellaneous petitions pending if any, shall stand closed.
There shall be no order as to costs.

ABHINAND KUMAR SHAVILI, J

OCTOBER 24, 2018

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Date:24.10.2018