

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPL No. 5595 of 2009**

1. Manager, Shri Krishna Talkies, Cinema Line, Rajnandgaon, Chhattisgarh.
2. Jaikishore Jaiswal, S/o Late Shri Nand Kishore Jaiswal, Aged About 66 Years R/o Jalj Bhawan, Behind Old Liquor Shop Jagdalpur, District-Bastar, Chhattisgarh.

---- Petitioner**Versus**

1. Appellate Authority Under Shops And Establishment Act, 1958 And Labour Officer, Rajnandgaon, Chhattisgarh.
- 2.A. Reema Chandel, Wd/o Late Rampal Singh, Aged About 52 Years R/o Sonarpara, Ward No. 24, Rajnandgaon, District Rajnandgaon, Chhattisgarh.
- 2.B. Shalini Chandel D/o Late Rampal Singh Aged About 29 Years W/o Tulsi Rajput. R/o Sonarpara, Ward No. 24, Rajnandgaon, District Rajnandgaon, Chhattisgarh.
- 2.C. Sanjani Chandel D/o Late Rampal Singh Aged About 25 Years W/o Khevendra Thakur. R/o Sonarpara, Ward No. 24, Rajnandgaon, District Rajnandgaon, Chhattisgarh
- 2.D. Harsh Chandel S/o Late Rampal Singh Aged About 23 Years R/o Sonarpara, Ward No. 24, Rajnandgaon, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Petitioners : Shri N.K. Vyas, Advocate.
For Respondents 2A to 2D : Shri Abhishek Sharma, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board**

05/12/2019 :

1. Challenge in this writ petition is to the order passed by the Appellate Authority deciding the appeal under Section 58 of the CG Shops and Establishment Act, 1958 directing reinstatement of the deceased workman (Rampal Singh Thakur) with full back wages.
2. Admittedly, the workman Rampal Singh Thakur has died during the pendency of the writ petition and now represented by legal heirs arrayed as Respondents 2A to 2D.
3. At the outset, Shri NK Vyas, learned counsel for the petitioner would submit that on account of death of Rampal Singh Thakur, relief of reinstatement has become infructuous, therefore, the petitioners are ready to pay compensation in addition to the amount of Rs.45,761/- already paid to the deceased workman.
4. In course of hearing, both the parties agreed that the settlement could be arrived at on payment of Rs.45,000/- to the legal heirs of Rampal Singh Thakur. Shri Abhishek Sharma, learned counsel for the respondents would further submit that the amount may be paid to the legal heirs within short time so that the legal heirs can tied over the financial crisis.
5. Shri N.K. Vyas, learned counsel would submit that the petitioners are ready to pay an amount of Rs.45,000/- within a period of 3 weeks from today to which Shri Abhishek Sharma, learned counsel for the respondents would accord his consent.
6. In view of the settlement, the Writ Petition is disposed of with a

direction that the petitioners shall pay a sum of Rs.45,000/- to the legal heirs of deceased Rampal Singh Thakur, now arrayed as respondents 2A to 2D within a period of 3 weeks from today. Respondent No.2A – Reema Chandel shall approach the management of petitioner No.1 on any working day within next 3 weeks to receive payment.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve