

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPL No. 93 of 2019

Smt. Sukma Bai W/o Khamman Lal Kumhar, Aged About 61 Years,
R/o Village Semra, Police Station Sihawa, District Dhamtari
Chhattisgarh

---- Petitioner

Versus

1. Collector, Dhamtari, District Dhamtari, Chhattisgarh
2. Tehsildar, Nagari, District Dhamtari, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Pawan Shrivastava, Advocate
For State	:	Shri P. Acharya, P.L.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

16/04/2019

1. The limited relief which the petitioner has sought for in the present writ petition is for an appropriate direction to the respondents in ensuring that RRC proceedings initiated by the Commissioner for Workmen Compensation, Labour Court, Raipur in Case No. 161/WC Act/2004/Fatal be executed at the earliest.
2. Contention of the counsel for the petitioner is that the petitioner along with her husband late Khamman Lal Kumhar had filed a claim application before the Commissioner for Workmen Compensation, Raipur claiming compensation on the accidental death of their son which took place on 30.04.2004. The learned Commissioner passed an award in favour of the claimants as early as on 29.06.2007.

3. Contention of the counsel for the petitioner is that though more than 11 years have passed, the claimants have not got the fruits of the said award. One of the claimants i.e. husband of the present petitioner died after the award was passed by the Labour Court and the said person could not avail the benefits of the award during his life time. He further submits that the Collector in the instant case has also issued instruction to the Tahsildar i.e. respondent no.2 to ensure that RRC proceeding is drawn and finalized at the earliest.
4. Given the aforesaid facts and circumstances of the case, particularly taking note of the fact that the award passed in favour of the petitioner could not be encashed even after about 12 years, this Court is of the opinion that ends of justice would meet if the respondents are directed to ensure taking all necessary steps for execution of the award that lies in favour of the petitioner dated 29.06.2007. It is expected that the respondents shall ensure that the RRC proceeding initiated against the award dated 29.06.2007 passed by the Labour Court, Raipur is executed at the earliest preferably within a period of 4 months from the date of receipt of copy of this order. It shall be the responsibility of the petitioner to apprise the respondents so far as the order passed by this Court is concerned.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge