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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11608 OF 2017

Kausalyabai Shivajirao Biradar

PETITIONER

VERSUS

Vayudoot Road Carriers Pvt. Ltd., and Others

RESPONDENTS

.....
Mr. Akshay Kulkarni h/f Mr.C.C.Deshpande, Adv. for petitioner
Mr. S. N. Kendre, AGP for respondent - State
Mr. S. R. Bodade, Advocate for respondent No.2
.....

[CORAM : SUNIL P. DESHMUKH AND
S. M. GAVHANE, JJ.]

DATE : 17th JULY, 2019

ORDER :

1. Despite service, none appears for respondent No. 1.
2. Heard learned advocates for the appearing parties.
3. It appears that an award dated 14th January, 2016 had been passed by Commissioner for Employees Compensation against respondents No. 1 and 2. It further appears that no further challenge has been posed to said order and the matter had been put in execution by the claimant - legal heir of deceased employee.

4. The Commissioner for Employees Compensation had issued a recovery certificate dated 20th August, 2016 and respondent No. 3 - Collector had been requested to proceed for recovery of the penalty amount. Request had also been made under communications dated 28th September, 2016, 5th November, 2016 and 31st January, 2017, however, respondent No. 3, it appears had not responded to.

5. Having regard to nature of award and it being compensation under Employees Compensation Act, it would be expedient that respondent No. 3 moves on in right earnest under the recovery certificate. It is expected that respondent No. 3 would proceed for recovery as early as possible, preferably within a period of three months from the date of receipt of writ of this order.

6. Writ petition accordingly stands disposed of.

[S. M. GAVHANE]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE