

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.34724 OF 2014

ORDER

This writ petition is filed seeking the following relief:

“...to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus directing the respondents herein to provide a copy of the order fixing the compensation in respect of deceased contract employee Sri S.K.Haji under the Workmen's Compensation Act, 1923 forthwith and consequently direct the respondents not to disburse the compensation for a period of 1 month so as to prefer Statutory Appeal under The Workmen's Compensation Act, 1923 and pass such further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard learned Standing Counsel appearing for the petitioner-Corporation and learned Government Pleader for Labour appearing for the respondents.

Learned Standing Counsel appearing for the petitioner-Corporation contends that without passing any order under the Workmen's Compensation Act, 1923, the 2<sup>nd</sup> respondent has directed the Corporation to deposit an amount of Rs.5,90,909/- *vide* letter dated 03.06.2014, towards compensation to the family members of the deceased employee. It is further contended that if the 2<sup>nd</sup> respondent communicates the adjudication order, the Corporation would be in a position to pursue further remedies either by preferring

an appeal under the Workmen's Compensation Act or by complying with the letter issued by the 2<sup>nd</sup> respondent.

Learned Government Pleader appearing for the respondents contended that the 2<sup>nd</sup> respondent would communicate the computation of the amount as determined by the 2<sup>nd</sup> respondent to the petitioner-Corporation within a reasonable time, so as to enable the Corporation either to comply with the letter issued by the 2<sup>nd</sup> respondent or to prefer an appeal, in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this writ petition can be disposed of directing the 2<sup>nd</sup> respondent-Deputy Commissioner of Labour to communicate the computation of amount of Rs.5,90,909/- to the petitioner-Corporation within a period of four weeks so as to enable the Corporation either to comply with the said letter or to prefer an appeal in accordance with law, after giving an opportunity to the legal representative of the deceased employee.

Accordingly, the writ petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

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JUSTICE ABHINAND KUMAR SHAVILI

12<sup>th</sup> September, 2019  
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