

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.2634 of 2007

DATED : 04.02.2020

Between :

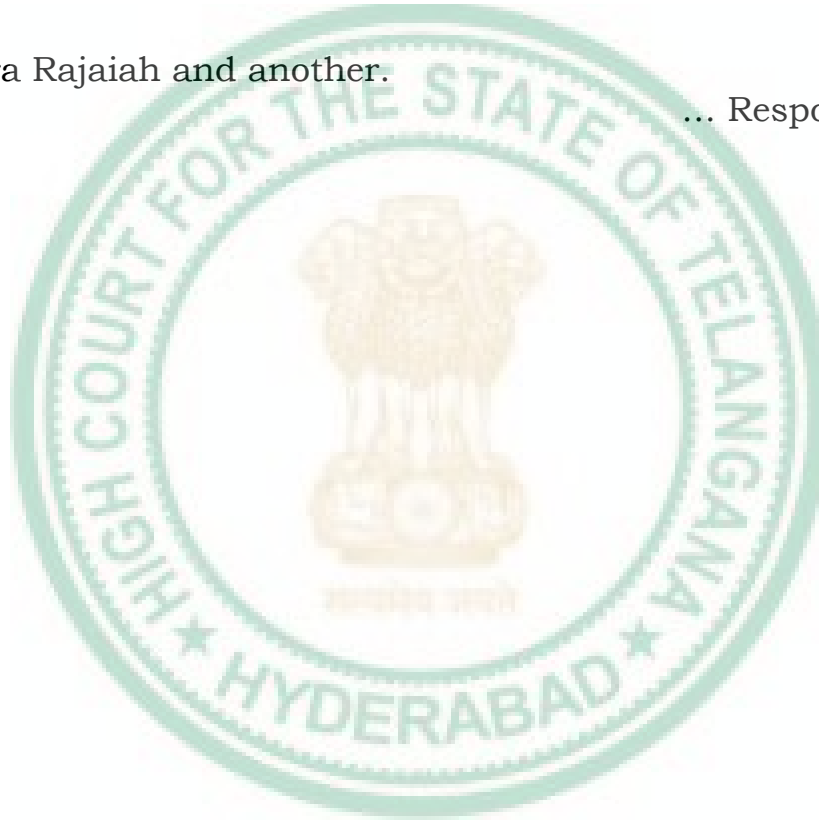
M/s. Singareni Collieries Company Ltd.

... Petitioner

AND

Dundra Rajaiah and another.

... Respondents



The Court made the following :

HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.2634 of 2007****ORDER:**

This writ petition is filed challenging the order dt.11.02.2005 in E.P.No.16 of 2003 passed by the Industrial Tribunal-cum-Labour Court, Godavarikhani. The said E.P.No.16 of 2003 was instituted by respondent No.1-workman herein praying the petitioner Company to regularize Quarter No.D-87, Srirampur Colony, in the name of the petitioner therein and refund the penal rent recovered from him in excess of Rs.14,400/-. The Industrial Tribunal by order dt.11.02.2005 allowed the said E.P.No.16 of 2003 directing to regularize Quarter No.D-87 in favour of the petitioner therein and to refund any excess penal rent collected from the petitioner therein over and above Rs.14,400/-. Challenging the said order dt.11.02.2005, this writ petition is filed.

2. This Court by order dt.13.02.2007 granted interim stay in respect of refund of penal rent collected only.

3. Learned counsel representing respondent No.1 herein informs the Court that though respondent No.1-workman died on 26.09.2019, so far no steps have been taken to bring the legal representatives of the deceased on record.

4. Be that as it may, there is no material on record to show how much penal rent was collected from respondent No.1. Respondent No.1 was contending before the Industrial Tribunal that the petitioner Company collected penal rent of Rs.58,000/-, which was seriously disputed by the petitioner. Even, the Industrial Tribunal has observed that no material was placed before the Tribunal to show that Rs.58,000/-, which includes Rs.14,400/-, was collected from the petitioner. Even if a sum of Rs.14,400/- is taken out from what was alleged to have been collected from respondent No.1, it would be a meager amount. Therefore, this Court is not inclined to grant leave to the petitioner Company, at this stage, to bring the legal representatives of the deceased respondent No.1 on record to contest the writ petition.

5. Accordingly, this Writ Petition is dismissed. Interim order granted by this Court on 13.02.2007 shall stand vacated. No order as to costs.

6. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE P. NAVEEN RAO

04.02.2020.
Msr

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Msr