

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.12618 of 2012

Prafulla Kumar Khatua

....

Petitioner

Mr. S. Mohanty, Advocate

-versus-

***Presiding Officer, Labour Court,
Bhubaneswar and another***

....

Opp. Parties

Mr. B.P. Tripathy, Advocate

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAIK**

ORDER

11.07.2022

Order No.

04.

1. The grievance of the Petitioner workman against the impugned award dated 25th February, 2012 passed by the Labour Court in I.D. Case No.22 of 2003 is that only the relief of reinstatement in service was granted without any compensation after finding the termination of the services of the Petitioner by the Opposite Party No.2 Management to be illegal. It is pointed out that the Petitioner attained the age of superannuation on 7th February, 2012 by the time the award was passed and therefore the relief granted was illusory. It is accordingly, prayed that this Court should direct Opposite Party No.2 Management to pay himself compensation.

2. Mr. Tripathy, learned counsel for the Management points out that nearly 4 months after the award on 26th June, 2012 the workman accepted all the retiral benefits including gratuity in the total sum of Rs.1,09,460/- without any protest. This is unable to be disputed by the learned counsel for the workman.

3. In that view of the matter, no further directions are called for.
The writ petition is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge



KC Bisoi