

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 12227 of 2010

Bhajram Swain

....

Petitioner

Mr. Biraja Pr. Das, Advocate

Mr. A. Ekka, Advocate

-versus-

Director of Fisheries and Others

....

Opposite Parties

Mr. A.P. Das, Addl. Standing Counsel

CORAM:

THE CHIEF JUSTICE

JUSTICE R.K. PATTANAİK

Order No.

ORDER
23.03.2022

07. 1. The challenge in the present writ petition is to an Award dated 26th March, 2010 whereby the Labour Court has directed the Opposite Parties (Department of Fisheries) to pay the terminal benefits to the Petitioner in the sum of Rs.14,142/- together with compensation amount of Rs.5,000/- within two months.
2. The grievance of the workman is that since there was an admitted breach of Section 25-F of the Industrial Disputes Act (ID Act), 1947 the Labour Court ought to have directed for reinstatement.
3. Factually, it is found that despite the best efforts of the Management, the requisite notices of termination of service could not be served on the Petitioner. The finding of fact is that he intentionally avoided receiving the notice.

4. Consequently, the Court does not find any error having been committed by the Labour Court in passing the impugned Award.

5. The writ petition is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

S.K. Jena/P.A.

