

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.6040 OF 2018

M/s Universal Security Services, through its Prop. Mrs. Bharati W/o Atul Joshi .Vs. Hon'ble
Commissioner, under Employees' Compensation Act, Nagpur and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri J.C. Shukla Advocate for the petitioner.

Shri H.D. Dubey, A.G.P. for the respondent No.1/State.

Shri A.J. Pathak, Advocate for the respondent No.3.

CORAM : ANIL S. KILOR, J.

DATED : 27/06/2023

1. Heard.

2. In the present petition, the impugned order dated 03.07.2018 passed by the Commissioner, under, Employees Compensation Act, Fourth Labour Court, Nagpur, allowing the application preferred by the respondent No.2-employee and thereby, directing the petitioner to pay the amount of Compensation to the tune of Rs.3,59,610/- along with interest @ 12% per annum along with penalty, is under challenge.

3. It is pertinent to note that, though the alternate remedy is available by way of an appeal against the impugned order, the present writ petition came to be filed by the petitioner.

4. Further it is important to note that, the present petition came to be dismissed against the employee i.e. the respondent No.2 vide order dated 05.07.2019 and no steps have been taken by the petitioner to restore the petition against the respondent No.2.

5. In absence of respondent No.2, the present petition does not survive. Accordingly, the writ petition is **dismissed**.

JUDGE