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*C.M.P.No.3332 of 2023
in WA.SR.No.64359 of 2022*

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S.VAIDYANATHAN, J.
and
R.KALAIMATHI, J.

This Petition has been filed to condone the delay of 24 days in filing the Writ Appeal against the W.P.No.21140 of 2015.

2. The learned counsel appearing for the 2nd Respondent has stated no objection for allowing this Petition.

3. Being satisfied with the reasons stated in the affidavit filed in support of his petition and also in view of no objection having been stated by the learned counsel appearing for the 2nd Respondent, this petition is allowed and the delay is condoned.

4. Registry is directed to number the Appeal, it is otherwise in order and post for admission during the 1st week of April 2023.

5. The learned counsel for the 2nd Respondent submitted that the Award of the Labour Court was modified into one of compensation in lieu of



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reinstatement vide order of the learned Single Judge dated 29.03.2021 in W.P.No.21140 of 2015. He further submitted that the compensation amount ordered by this Court has been paid to the Workman and that he received the same without protest.

6. The learned counsel appearing for the Appellant/Workman submitted that protest was made by the Workman prior to the order of the learned Single Judge and thereafter he received the compensation amount without any protest.

7. It is seen that in the order dated 29.03.2021 passed by the learned Single Judge, there was no whisper about the receipt of the compensation amount under protest.

8. The learned counsel appearing for the 2nd Respondent shall furnish the details of the date of deposit of the compensation amount and whether the Workman has made any objection with regard to receipt of the amount before the learned Single Judge. We make it very clear that if any incorrect statement



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is pointed out by the 2nd Respondent, this Court may have to impose costs upto
Rs.10,000/- on the Appellant/Workman.

7. Post during the first week of April 2023

[S.V.N., J.] [R.K.M., J.]
24.03.2023

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**S.VAIDYANATHAN, J.
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