



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

Writ Petition (WP) No. 1930 of 2018

The Assistant Conservator of Forest, Wildlife, Tah. Sakoli, District
Bhandara and others
Versus
Rekchand S/o Gopichand Rane

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

Court's or Judge's Order

Shri H.R.Dhumale, AGP for the petitioners.

Ms. Nisha Gajbhiye, Advocate for the respondent nos. 1 to 3.

CORAM : ANIL S. KILOR, J.
DATED : 22nd JANUARY, 2024.

Heard.

2. This Court in connected matters i.e. Writ
Petition Nos. 1931, 1932, 1933, 1934, 1935, 1936,
1937, 1939, 1940, 1941, 2803, 2805, 2877, 2892,
2953, 2987, 3008, 3009, 4575 and 4577 of 2018 has
passed the order on 19th December, 2018 which reads
thus :

“9. In view of the above, the following
order is passed:

i. The directions given by the Labour
Court to the petitioners (employer) to reinstate

the employees with continuity of service are maintained.

ii. The directions given by the Labour Court to the petitioner (employer) to pay full back-wages from 12th April, 2012 are set aside.

iii. The advocate for the employees has submitted that after the award was passed by the Labour Court, the employees were re-employed by the petitioners, however, they are discontinued after this Court granted interim order in these writ petitions. The petitioners/employer are directed to reinstate the employees within one month.

iv) If the petitioners fail to reinstate the employees as per this judgment, the officer/officers responsible for complying with these directions shall be liable to pay Rs. Five Thousand per month to the employee(s) personally.

v) The employees shall report on duty on Monday, 24th December, 2018.

vi) The award passed by the Labour Court is modified accordingly.”

3. In light of above referred judgment similar relief can be granted in this writ petition. However, the respondent has expired during the pendency of the present writ petition and his legal heirs are brought on record.

4. In the above referred connected matters, the backwages were not granted and the employees were directed to report on duty on 24th December, 2018 i.e. after disposal of the said writ petitions. In the matter at

hand, such directions cannot be issued for the above referred reason that the respondent has expired.

5. In the circumstances, if the respondent had any right or claim which the legal heirs of the respondent can claim, the liberty is granted to the legal heirs of the respondent to file appropriate proceedings for such right or claim, if any, under the law. Accordingly, the writ petition is disposed of.

[ANIL S. KILOR, J.]