

(2022) 10 OHC CK 0145

In the Orissa High Court

Case No : Writ Petition (C) No.2618 Of 2011

Management of M/s. Pressels Pvt. Ltd

APPELLANT

Vs

Aswini Kumar Lenka

RESPONDENT

Date of Decision : 27-10-2022

Acts Referred:

Citation : (2022) 10 OHC CK 0145

Hon'ble Judges : Arindam Sinha, J;Sanjay Kumar Mishra, J

Bench : Division Bench

Advocate : S. Das, P. K. Das

Final Decision : Disposed Of

Judgement

WP(C) nos.2618 of 2011 and 6751 of 2011 I.A. nos.4353, 4354 and 4355 of 2022

1. Mr. S. Das, learned advocate appears on behalf of petitioner (company) in WP(C) no.2618 of 2011. He submits, his client has challenged the award on reinstatement. During pendency the workman died. The legal representatives have been substituted.

2. Mr. P. K. Das, learned advocate appears and submits, WP(C) no.6751 of 2011 was filed by his client, the workman, since deceased. The award was challenged on omission to direct payment of backwages. He submits, three applications have been filed by the legal representatives, for condonation of delay, setting aside abetment and substitution. The legal representatives are mother, widow and daughter of the deceased.

3. On query from Court Mr. S. Das in fairness does not oppose the allegations applications the legal representatives have already been substituted in his client's writ petition, challenging same award.

4. Perused the applications. We are satisfied with the explanations given therein.

5. The applications are allowed. Delay is condoned and abetment set aside.

Applicants will file consolidated cause title for purpose of carrying out amendments for the substitution. Copy of consolidated cause title be served on the company/learned advocate.

6. I.A. nos.4353, 4354 and 4355 are disposed of.

7. Mr. P. K. Das submits, there was filed I.A. no.2076 of 2021, which should be listed along with the writ petitions.

8. List both the writ petitions on 17th November, 2022, along with I.A. no.2076 of 2021.

.....