

IN THE HIGH COURT OF KARNATAKA, BENGALURU

DATED THIS THE 28TH DAY OF FEBRUARY, 2018

BEFORE

THE HON'BLE MR.JUSTICE L. NARAYANA SWAMY

WRIT PETITION NO. 39572 OF 2014 (L-RES)

BETWEEN

1.THE SECRETARY TO GOVT.,
DEPARTMENT OF FOREST
ECOLOGY AND ENVIRONMENT,
M.S.BUILDING, BANGALORE-560001.

2.THE DEPUTY CONSERVATOR OF FOREST
ARANYA BHAVAN, ASHOKAPURAM,
MYSORE.

3.THE RANGE FOREST OFFICER
K.R.NAGARA, RANGE FOREST,
K.R.NAGARA.

4.THE RANGE FOREST OFFICER
SOCIAL FOREST CIRCLE,
HUNSUR.

... PETITIONERS

(BY: SRI. S.V.GIRIKUMAR, AGA)

AND

SRI S SHANTHAMALLU
S/O LATE SHIVAMALLAPPA,
57 YEARS,
R/AT HALEBEEDU VILALGE AND POST,
BILIKERE HOBLI,
HUNSURU TALUK,
MYSORE DISTRICT.

SINCE DEADD,
REPRESENTED BY LRS

1(A) SMT. SHANTHAMMA
W/O LATE S. SHANTHAMALLU
AGED ABOUT 55 YEARS

1(B) SRI. JAGADEESH
S/O LATE S. SHANTHAMALLU
AGED 38 YEARS

1(C) SRI. S. SHIVAKUMAR SWAMY
S/O LATE S. SHANTHAMALLU
AGED ABOUT 35 YEARS

(AMENDED VIDE ORDER DATED 28.02.2018)

... RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE
JUDGEMENT AND AWARD DT.30.9.2013 IN
REF.NO.27/2011 PASSED BY PRESIDING OFFICER,
LABOUR COURT, MYSORE AS PER ANNEX-A.

THIS PETITION COMING ON FOR ORDERS THIS DAY,
THE COURT MADE THE FOLLOWING:

ORDER

The Labour Court, Mysuru on 30.09.2013 in REF. No.27/2011 has directed the second party, respondent – Government therein to reinstate the respondent herein into service and to pay back wages.

2. Learned Government Advocate submits that the first party before the Labour Court who is the respondent herein has died and application is filed to bring his LRs on record in this petition. In view of the death of the sole respondent in this matter, this petition does not survive for consideration and accordingly it is dismissed.

However, it is made clear that the LRs of the deceased respondent are entitled for monetary benefit which the petitioner is directed to comply as expeditiously as possible

and in any event, within a period of 30 days from the date of receipt of certified copy of this order.

Sd/-
JUDGE

Bsv