

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 8952/2007

Chief Manager, Rajasthan State Road Transport Corporation,
Kota Depot, Kota.

----Petitioner

Versus

1. Shri Narainlal son of Shri Chandanlal (since deceased)
through legal heirs:
 - 1/1. Smt. Triveni Devi wife of late Shri Narainlal
 - 1/2. Smt. Savita @ Gudiya, daughter of late Shri NarainlalBoth residents of Dahi Wali Gali, Nadiya Mohalla, Khereta
Wali Haveli, Bharatpur.
2. Judge, Industrial Tribunal, Jaipur.

----Respondents

For Petitioner(s)	:	Mr. Om Prakash Sheoran
For Respondent(s)	:	None present

JUSTICE ANOOP KUMAR DHAND

Order

18/03/2025

1. By way of filing this petition, a challenge has been made by the petitioner to the impugned order dated 22.08.2007 passed by the Industrial Tribunal, Jaipur (for short 'the Tribunal') by which the application filed by the petitioner under Section 33(2)(B) of the Industrial Disputes Act, 1947 (for short 'the Act of 1947'), seeking approval of the termination order of the respondent-workman, has been rejected.

2. The contents of the petition indicate that the petitioner -Corporation has terminated the services of the workman on account of his absence w.e.f. 16.04.1991 till 12.06.1991 vide

order dated 24.03.1995. After passing the order of termination, an application was submitted by the petitioner under Section 33(2)(B) of the Act of 1947 before the Tribunal seeking approval of the said order.

3. Perusal of the impugned order dated 22.08.2007 goes to show that during pendency of the aforesaid proceedings, an order was passed on 21.08.2007, wherein it was found that the domestic inquiry conducted against the workman was improper and invalid and since, the workman has passed away, hence, after death of the workman, no further inquiry can be conducted in the light of the judgment passed by the Division Bench of this Court in the case **Smt. Prem Kumari vs. Central Industrial Tribunal and Ors.** reported in **1995 (7) FLR 244 (Raj)**. After recording this finding, the order impugned dated 22.08.2007 has been passed by the Tribunal, which requires no interference of this Court.

5. Accordingly, the instant writ petition stands dismissed. Pending applications, if any, also stand dismissed.

(ANOOP KUMAR DHAND),J