

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 8535/2006

Ramesh Kumar Arora

-----Petitioner

Versus

U O I And Ors

-----Respondent

For Petitioner(s)	:	None
For Respondent(s)	:	Mr. V.P. Mathur Mr. Sudhir Yadav

HON'BLE MR. JUSTICE SAMEER JAIN

Order

17/01/2025

Learned counsel for the respondents has submitted that the instant matter is rendered infructuous, and they cannot comply with the directions of the learned Labour Court for the reason that the petitioner has aged approximately 60 years as on date, and is not cooperating with the directions of the Court passed for appearing for medical examination before Medical Board.

Upon a perusal of the order dated 08.12.2008, it is noted that the petitioner was working as Gangman (labourer), who was terminated from the services w.e.f 10.06.1985, however, learned Labour Court vide order dated 05.09.1994 (Annexure-1) passed an award with direction to the respondents to reinstate the services of the petitioner along with all consequential benefits.

It is further noted that the said order of learned Labour Court was not complied by the respondents and in this regard petitioner has filed a representation for compliance of the said award, however the same was not considered by the competent authority,

thereafter, petitioner has filed a petition **SBCWP No. 5237/2002** with a prayer to direct the respondents to comply with the award passed by learned Labour Court, which was decided vide order dated 19.08.2002 with the direction to the respondents to comply with the award, within a period of 60 days, however as the said order of the Court was also not complied by the respondents, petitioner has filed the present petition.

Additionally, it is noted that the petitioner was directed to appear for the medical test, as it was submitted by the respondents that petitioner has failed to appear for re-medical examination before re-medical Board. Moreover, respondents have submitted that the petitioner is not fit for the said post due to some ailment suffered by the petitioner.

Upon perusal of the order dated 18.10.2021, it is noted that none has marked presence on behalf of the petitioner.

When the matter was called today, none has marked appearance on behalf of the petitioner.

In this regard, in the interest of justice, considering the facts and circumstances of the case, this Court deems it apposite to grant one more opportunity to the petitioner.

List the matter on 30.01.2025 at 02.00 PM.

(SAMEER JAIN),J