

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

WP(C).No. 5858 of 2006 (V)

PETITIONER :

**TRICHUR URBAN CO-OPERATIVE BANK LTD.NO.87,
MISSION QUARTERS, THRISSUR,
REPRESENTED BY ITS CHAIRMAN, PAULSON ALAPPAT,
ALAPPAT HOUSE, PALLIKKULAM ROAD, THRISSUR.**

BY ADV. SRI.C.D.DILEEP

RESPONDENT(S):

- 1. C.A.JOSE, S/O.ANTHONY, CHACKALAKKAL HOUSE,
PRANAVAM NAGAR, OLLUKKARA, THRISSUR.**
- 2. INDUSTRIAL TRIBUNAL, PALAKKAD.**

R1 BY ADVS.SRI.V.G.ARUN

SRI.T.R.HARIKUMAR

R2 BY GOVERNMENT PLEADER SRI. T.J.MICHAEL

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 12-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

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APPENDIX

PETITIONER'S EXHIBITS:

- | | |
|--------|--|
| EXT.P1 | COPY OF THE DOMESTIC ENQUIRY REPORT DATED 21/04/1998. |
| EXT.P2 | COPY OF THE ORDER OF THE DISCIPLINARY COMMITTEE DATED 11/6/1998. |
| EXT.P3 | COPY OF THE ORDER DATED 8/9/1998 DISMISSING THE APPEAL OF THE 1ST RESPONDENT. |
| EXT.P4 | COPY OF THE COMPLAINT DATED 11/8/1999 |
| EXT.P5 | COPY OF THE WRITTEN STATEMENT DATED 18/6/2005 FILED BY THE PETITIONER. |
| EXT.P6 | COPY OF THE AWARD OF 2ND RESPONDENT DATED 11/11/2005. |
| EXT.P7 | COPY OF THE REPRESENTATION FILED BY THE 1ST RESPONDENT TO THE PETITIONER DATED 5/5/07. |
| EXT.P8 | COPY OF THE REINSTATEMENT ORDER PASSED BY THE PETITIONER BANK DATED 9/6/07 TO REINSTATE THE 1ST RESPONDENT |
| EXT.P9 | COPY OF THE JOINING REPORT OF THE 1ST RESPONDENT DATED 11/06/2007 |

RESPONDENT'S EXHIBITS: **NIL**

/TRUE COPY/

P.S.TO.JUDGE

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K.Vinod Chandran, J.

W.P.(C).No.5858 of 2006-V

Dated this the 12th day of January, 2015

JUDGMENT

The learned counsel for the petitioner submits, that, the challenge in the above writ petition is with respect to Exhibit P6 award; which has been complied with, insofar as the workman in Exhibit P6 has been reinstated with continuity of service as per the award.

2. The learned counsel appearing for the 1st respondent-workman, however, would contend that despite the order having been passed on 11.11.2005, the workman was reinstated only in the year 2007 and he has a valid claim for salary during the intervening period.

3. However, the claim raised by the workman cannot be granted in the writ petition filed by the management. The workman would have to work out his remedies elsewhere. Such remedies are left open to the workman, if the same is still available.

The writ petition would stand closed as infructuous.

Sd/-
K.Vinod Chandran,
Judge.

vku.

(true copy)