

THE HON'BLE SRI JUSTICE DILIP B.BHOSALE

AND

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT APPEAL No. 189 of 2015

P.C.: (per the Hon'ble Sri Justice Dilip B.Bhosale)

This writ appeal is directed against the order, dated 17.12.2014, passed on Rev.W.P.M.P.No.8314 of 2012 in W.P.No.15186 of 2010 and the order, dated 07.02.2012 passed in W.P.No.15186 of 2010.

The writ petition was filed against the order, dated 20.04.2010, disposing of S.A.No.10 of 2008 in S.E.No.14 of 2004 by the Joint Commissioner of Labour, the authority under Section 48 (3) of the Andhra Pradesh Shops and Establishment Act, 1988. Against the order, dated 20.04.2010, the appellant-Bank as well as the respondent-employees filed several writ petitions. Two writ petitions filed by the appellant are W.P.Nos.9881 and 9894 of 2010. Apart from W.P.No.15186 of 2010 filed by respondents Nos.1 to 13-Employees, they have also filed independent writ petitions challenging part of the order, dated 20.04.2010, passed in S.A.No.10 of 2008.

W.P.No.15186 of 2010 only, however, came to be disposed of when none appeared on behalf of the appellant-Bank. Therefore, they filed Rev.W.P.M.P.No.8314 of 2012, which came to be disposed of *vide* order, dated 17.12.2014.

In this backdrop, in the course of hearing of this appeal, we made certain suggestions to learned counsel for the parties and after taking instructions from their respective clients, who are present in the Court, they have agreed for the following order:

“The appellant-Bank shall deposit another Rs.10,00,000/- (Rupees ten lakhs only) before the XII Additional Metropolitan Magistrate, Hyderabad within a period of four weeks from today.

After deposit of the amount, as aforementioned, the respondent-employees are allowed to withdraw Rs.4,00,000/- therefrom without furnishing any security. It is needless to mention that the respondents are permitted to withdraw their proportionate respective shares in the amount of Rs.4,00,000/-.

The XII Additional Metropolitan Magistrate, Hyderabad is directed to pass an appropriate order investing the remaining Rs.6,00,000/- in fixed deposit in any Nationalised Bank initially for a period of one year and shall renew the same from time to time, if necessary, till disposal of the writ petitions and/or subject to the order that will be passed by this Court in the writ petitions.”

By consent of the parties, the order, dated 07.02.2012, passed in W.P.No.15186 of 2010 is set aside and W.P.No.15186 of 2010 is restored to file. In view thereof, the order, dated 17.12.2014, passed in Rev.W.P.M.P.No.8314 of 2012 renders ineffective and the review petition also stands disposed of as such.

The learned Judge, who is assigned to hear writ petitions, is requested to hear and dispose of W.P.Nos.15186, 9881, 9894 of 2010, 4350 of 2012, 27212, 27315, 30422, 30423, 30426, 30430, 30432, 32322 and 32328 of 2014, arising from the common order passed in S.A.No.10 of 2008 as far as possible by common order, expeditiously.

The writ appeal is accordingly disposed of. All contentions on merits are kept open.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B.BHOSALE,J

**A.RAMALINGESWARA
RAO,J**

Dt:19.03.2015

kdl