

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.6114 of 2005

ORDER:

This writ petition was filed challenging the order dated 17.09.2004 passed by the Industrial Tribunal-cum-Labour Court, Guntur, in E.P.No.8 of 2002 in I.D.No.48 of 1996.

By the Award dated 25.01.2001 passed in I.D.No.48 of 1996, the Labour Court directed reinstatement of the workman in service and he was to be paid Rs.40,800/- towards wages. As the said Award was not implemented, the workman, the 2nd respondent herein, filed E.P.No.8 of 2002 under the provisions of Section 11-B of the Industrial Disputes Act, 1947. The Executing Court having heard both sides directed attachment of movables by order dated 17.09.2004. Aggrieved thereby, the respondent in the execution petition, the Executive Engineer, Velugonda Project Division, Podili, Prakasam District, filed this writ petition.

By order dated 24.03.2005, this Court granted interim suspension of the order under challenge. On 26.06.2007, the said interim order was modified directing the writ petitioner to deposit 50% of the E.P. amount within eight weeks giving liberty to the respondent-workman to withdraw the same without furnishing any security. Subject to this condition, the interim order was made absolute.

It is now stated by the learned Assistant Government Pleader for Irrigation that the entire E.P. amount of Rs.40,800/- was remitted by 17.10.2008. A copy of the letter dated 14.02.2009 addressed by the Executive Engineer (A/C) GRP Division-I, Ongole to the office of the learned Government Pleader for Irrigation is produced which evidences that a sum of Rs.20,400/- was deposited before the Labour Court, Guntur, under cheque dated 08.01.2008. A further sum of Rs.20,400/- was deposited under cheque dated 14.10.2008.

In the light of the aforesaid developments, this writ petition no longer survives for consideration. The 2nd respondent-workman shall

be at liberty to withdraw the amount deposited to the credit of the E.P., without security. The Executing Court shall thereupon record full compliance with the Award dated 25.01.2001 passed in I.D.No.48 of 1996.

The writ petition is disposed of subject to the above observations.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date:01.09.2015

GJ