

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

COMPANY APPEAL Nos.3, 10 of 2016 and COMPANY APPEAL (SR) No.8465 of 2016

COMMON JUDGMENT:

1. These three Company Appeals are being disposed of by this common order as they arise out of the same cause of action.
2. Company Appeal No.3 of 2016 was filed by Allwyn Watches Mazadoor Sangh challenging the order dated 29.02.2016 passed by the Official Liquidator. Though the Company Appeal No.10 of 2016 was filed against the same order dated 29.02.2016, it is pointed out that no specific order was passed in respect of the appellant therein. It is stated that earlier Company Application No.365 of 2016 was filed and the same was permitted to be withdrawn, by order dated 28.03.2016, with liberty to avail remedy of appeal as against the adjudication order dated 29.02.2016 and in pursuance of the said order, the appellant preferred the said Company Appeal No.10 of 2016. Company Appeal (SR) No.8465 of 2016 was filed by 11 workers challenging the adjudication order dated 29.02.2016 with Company Application No.1643 of 2016 seeking condonation of delay of 38 days in filing the Company Appeal and also Company Application No.1644 of 2016 seeking to dispense with the filing of the general notice of applicants 2, 3, 10 and 11 given under Form No.69 dated 29.02.2016.
3. After hearing Company Appeal No.3 of 2016 elaborately on 23.12.2016, the learned Official Liquidator took time for filing an

affidavit and accordingly he filed an affidavit before this Court stating that the appellants, whose services were terminated because of the permission accorded by the Government of Andhra Pradesh under the provisions of the Industrial Disputes Act, were paid compensation on 19.06.2000. The said decision in G.O.Rt.No.174, Labour Employment Training and Factories (LAS.I) Department, dated 25.01.2000 was upheld by this Court in Writ Petition Nos.3599, 3600 of 2000 and Writ Petition No.20226 of 2001 dated 04.08.2010. In view of the same, the learned Official Liquidator stated that the order passed by him on 29.02.2016 requires reconsideration.

4. In view of the affidavit filed by the Official Liquidator, the impugned order dated 29.02.2016 is set aside and the matter is remanded to the Official Liquidator for passing a fresh order in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5. These three Company Appeals are accordingly disposed of.

A.RAMALINGESWARA RAO, J

27-12-2016
Gsn