

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO**

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WRIT APPEAL NO.509 OF 2016

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J U D G M E N T
(per Hon'ble Sri Justice Sanjay Kumar)

This writ appeal was filed by the unsuccessful writ petitioner in W.P.No.15522 of 2011. By order dated 15.06.2016, a learned Judge dismissed the said writ petition relegating the appellant-petitioner to the alternate remedy available to him under the Industrial Disputes Act, 1947.

Sri P.V.Ramana, learned counsel for the appellant-writ petitioner, would contend that material witnesses were not examined and photo copies of the documents were marked in evidence. He would however fairly concede that his client did not desire to examine any witnesses on his own behalf despite the bank's regulations permitting the same. The learned counsel would also concede that strict rules of evidence would have no application in a domestic enquiry.

As the issues sought to be raised by the appellant-writ petitioner in support of his challenge to the findings recorded during the domestic enquiry require evidence by way of a trial, this Court cannot undertake such an exercise in writ jurisdiction. We therefore find no reason to interfere with the order under appeal.

The writ appeal is accordingly dismissed reiterating the observation of the learned Judge that in the event the petitioner invokes the remedy available to him under the Industrial Disputes Act, 1947, the Labour Court-cum-Industrial Tribunal concerned shall endeavour to dispose of the same expeditiously. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

DR. B.SIVA SANKARA RAO, J

4TH JULY, 2016
PGS