

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.16465 of 2009

ORDER:

The petitioner challenges the award dated 17-01-2008 in I.D.No.64 of 2006, whereunder the Labour Court while allowing the I.D. partly held as follows:-

“In the result, the petition is allowed partly. The order of removal of the petitioner from service issued by the respondent in his proceedings dt.30-08-2005 as confirmed by the Divisional Manager and Regional Manager is hereby modified one into compulsory retirement of the petitioner from service and thereby he shall be entitled for such of those retirement benefits as per rules and the less remittance of the bus cash to an extent of Rs.182/- if not paid already by the petitioner the same shall be deducted from his retirement benefits and the remaining amounts shall be paid to him. This Award shall come into force within one month from the date of publication of the Award. He shall not be entitled for any other benefits. The award is passed accordingly.”

The writ petition is dismissed for default against 1st respondent for non-compliance of conditional order, dated 12-12-2012.

After lapse of three and half years, it appears that no steps are taken to rectify the defect. Since the writ petition is dismissed against the contesting respondent, the prayer cannot be considered.

Accordingly, the writ petition is dismissed. It is open to the petitioner, if so advised, to file appropriate petitions for restoration as well as setting aside the default order against 1st respondent. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 28-06-2016

Prv

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