

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

**FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**WEDNESDAY, THE TWENTY FOURTH DAY OF
AUGUST TWO THOUSAND AND SIXTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.3736 of 2011

Between:

N. Yerri Swamy, s/o. Subbanna, Aged:64 years, R/o.B.Konapuram
Village, Biduguppa Mandal, Ananthapur District.

. Petitioner

AND

Industrial Tribunal-cum-Labour Court, Ananthapur, rep. by its
Chairman-cum-Managing Director, Ananthapur and another.

.. Respondents

The Court made the following:

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THE HON'BLE SRI JUSTICE P. NAVEEN RAO

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WRIT PETITION No.3736 of 2011

ORDER

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Disciplinary proceedings were initiated against the petitioner while he was working as Staff Assistant. Before conclusion of the disciplinary proceedings, he retired from service on attaining the age of superannuation on 31.08.2005. After retirement, the employer passed orders on 20.12.2005 dismissing the petitioner from service retrospectively. Challenging the order of dismissal, petitioner filed a petition under Section 2-A(2) of Industrial Disputes Act, 1947 before the Chairman-Presiding Officer, Industrial Tribunal-Labour Court, Ananthapur and the same was registered as I.D.No.130 of 2006. In the said I.D., claim was rejected on the ground of jurisdiction and maintainability of the claim before the Industrial Tribunal. Challenging the same, this writ petition is filed.

2. On the last occasion, both counsel have made elaborate submissions. However, to enable a settlement and to resolve the dispute, the matter was adjourned. On 19.08.2016, letter dated 17.08.2016, addressed by the Chief Executive Officer of respondent Bank to their counsel was placed before this Court, where-under the Bank has agreed categorically to pay the gratuity amount payable to the petitioner without liability of interest. Since the amount was not specified and the other amounts that may be

due were not mentioned, the matter was adjourned to this date.

3. Today, when the matter is taken up, learned counsel Sri O. Manohar Reddy, appearing for the respondent Bank, fairly submits that the Bank would pay consolidated amount of Rs.5 lakhs to the petitioner if the petitioner is agreeable for such settlement and resolution of dispute. Petitioner is present and has agreed for resolution of the dispute by receiving the amount of Rs.5 lakhs as proposed by the respondent Bank.

4. In view of the same, the Writ Petition is disposed of, directing the respondent Bank to pay an amount of Rs.5 lakhs (Rupees five lakhs only) to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. The xerox copy of letter dated 17.08.2016 signed by the Chief Executive Officer of the respondent Bank is taken on record and is marked as Annexure 'X'. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall standing closed.

P.NAVEEN RAO, J

24th August, 2016

sj

