

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

W.P.NO.25434 OF 2005

O R D E R

Aggrieved by the inaction of the petitioners herein in terminating the services of the 1st respondent herein, without complying with the provisions of Section 25(F) of the Industrial Disputes Act, 1947, the 1st respondent filed Industrial Dispute in L.C.I.D.No.106/2003 on the file of Labour Court, Hyderabad. Following its earlier order dated 12.4.2004 passed in L.C.I.D.No.221/2002, the Labour Court allowed the I.D. on 6.4.2005 and directed the petitioners herein to reinstate the 1st respondent herein with attendant benefits. Aggrieved by the same, the present petition has been filed.

The learned counsel appearing for the writ petitioners would submit that against the order dated 12.4.2004 passed in LCID.No.221/2002, the petitioners herein filed writ petition in W.P.No.13157 of 2004 before this Hon'ble Court, which was disposed of on 6.8.2015 with the following direction:

“In view of above facts and circumstances, the award of the Labour Court dated 12.04.2004 in LCID.No.221 of 2002 is set aside and the matter is remitted to the Labour Court for dealing with the same afresh. It is made clear that both the parties shall raise their respect contentions including the issue whether the petitioner institute is industry or not and that since the matter pertains to the year 2004, the Labour Court shall dispose of the case, as expeditiously as possible, preferably within a period of four (4) months from the date of receipt of a copy of the order, after affording a reasonable opportunity of hearing to both parties.”

The learned counsel for the petitioners submit that the present writ petition may also be disposed of in terms of the order of this court in

W.P.No.13157 of 2004. The learned counsel for the 1st respondent does not dispute the same.

Having regard to the facts and circumstances and the submissions of the learned counsel, the impugned award of the Labour Court dated 6.4.2005 is set aside and the writ petition is allowed in terms of the above directions of this court dated 6.8.2015 in W.P.No.13157 of 2004. No costs.

Miscellaneous petitions pending if any, shall stand closed.

C.PRAVEEN KUMAR,J

DATE: 13—03—2017

AVS

