

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.662 of 2008

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon'ble court may be pleased to issue a Writ, Order or direction, more particularly one in the nature of Writ of Certiorari by setting aside the order passed in S.A.No.3 of 2005 on the file of the 2nd respondent dated 23.11.2007 as illegal, arbitrary, unjust and against the rule of law and principles of natural justice, consequently set aside the S.A.No.3 of 2005 and restore the order of the 1st appellate authority order in S.E.No.6/96, Dt.24-09-2004 and pass such other order or further orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

(Reproduced verbatim)

2. Heard *Sri Jogram Tejawath*, learned counsel appearing for the writ petitioner, and *Sri C.Hari Freeth*, learned counsel appearing for the 1st respondent-Bank, and the learned Government Pleader for Labour (Telangana) appearing for the respondents 2 and 3. I have perused the material record.

3. Learned counsel appearing for the petitioner would bring to the notice of this Court that the 1st respondent-Bank deposited a sum of Rs.2,96,686/, which is the outstanding amount, to the credit of E.P.No.34 of 2007 on the file of the Industrial Tribunal-cum-Labour Court, Warangal, and that the said deposit was made in two spells. Learned counsel for the petitioner having produced an endorsement of the Tribunal before this Court would submit that the said amount is still lying to the credit of the said EP.

4. Learned counsel for the 1st respondent-Bank also submits that the deposit has already been made and that in view of the endorsement produced

by the petitioner before this Court, appropriate orders may be passed disposing of the writ petition.

5. In the aforesaid circumstances, the learned counsel for the petitioner would submit that the grievance of the writ petitioner would be redressed if the writ petition is disposed of by granting permission to the petitioner to withdraw the deposited amount with interest towards full satisfaction, by following the due procedure established by law. Learned counsel for the 1st respondent-Bank would submit that the 1st respondent-Bank has no objection for the petitioner withdrawing the amount in deposit with interest thereon if it is not already released by the Tribunal.

6. Recording the submissions of the learned counsel for both the sides, the writ petition is disposed of granting permission to the petitioner to approach the Industrial Tribunal-cum-Labour Court, Warangal, and file an appropriate application, as per the procedure established by law, and withdraw the amount, lying to the credit of the aforesaid E.P.No.34 of 2007, with interest accrued thereon, towards full satisfaction of all the claims of the writ petitioner.

No costs.

Pending miscellaneous petitions, if any, shall stand closed.*

M. SEETHARAMA MURTI, J

27th March, 2017

Note: - Issue CC by 28-03-2017
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