

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 23866 of 2000

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, by the petitioner seeking a writ of prohibition to restrain the Industrial Tribunal-II, Hyderabad, 2nd respondent herein, from proceeding further in I.D.No. 27 of 2000, pursuant to the reference made in G.O.Rt.No.1196 dated 08.06.2000.

2. Heard Mr. S. Ramesh, learned counsel for the petitioner, and Mr. B.G. Ravinder Reddy, learned counsel for the 3rd respondent-Union.

3. The case of the petitioner, in brief, is that it is a Company incorporated under the Companies Act, 1956 and doing business in manufacture and sale of pharmaceutical products. With a view to achieve the objectives of improved productivity, it had decided to reduce the number of working days in a week and, accordingly, switched over to the system of five days in a week with effect from 08.01.1999 by giving weekly offs on Saturday and Sunday. Consequently, the total number of working hours was also reduced from 48 hours to 45 hours in a week. While so, the 3rd respondent-Union had resisted the same and raised an industrial dispute before the Conciliation Officer. As there was no consensus arrived at between the parties, the conciliation proceedings are closed as having been failed. The Conciliation officer submitted a report of failure to the

Government. Basing on the same, the Government issued G.O.Rt.No.1196, Labour Employment Training and Factories (LAB.I) Department, dated 08.06.2000, referring the dispute for adjudication to the 2nd respondent-Tribunal. Questioning the reference made in the said Government Order as well as the I.D.No.27 of 2000 on the file of the 2nd respondent, the present writ petition is filed.

4. When the matter was taken up for hearing on 21.11.2017, at request of the learned counsel for the 3rd respondent-Union, the case was adjourned by a week so as to enable him to get instructions as to whether the 3rd respondent-Union is interested in pursuing the I.D.

5. Today, the learned counsel for the 3rd respondent-Union, submits that the 3rd respondent is not inclined to pursue the I.D.

6. Recording the submission of the learned counsel for the 3rd respondent-Union, the reference made in G.O.Rt.No.1196, Labour Employment Training and Factories (LAB.I) Department, dated 08.06.2000, is set aside, and the proceedings in I.D.No.27 of 2000 on the file of the 2nd respondent are hereby quashed. The Writ Petition is, accordingly, disposed of.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand closed. There shall be no order as to costs.

ABHINAND KUMAR SHAVILI, J

29th November, 2017
cbs

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(disposed of)

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