

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.18770 OF 1999

ORDER:

This Writ Petition is filed seeking to issue a Writ of Certiorari calling for the records relating to and connected with E.A.34 of 1998 in E.P.42 of 1992 dated 31.7.1991 and to quash or set aside the same.

Heard Sri S.Ravindranath, learned counsel for the petitioner and Sri Murli Narayan Bung, learned counsel for the respondents 2 to 4.

It is the case of the petitioner that he had filed I.D.No.476 of 1987 and the 1st respondent i.e., Industrial Tribunal-cum-Labour Court was pleased to pass an Award on 31.3.1988; that when the respondents have not implemented the said Award, he had filed E.P.No.42 of 1992. The 1st respondent had dismissed E.P.No.42 of 1992 and challenging the said dismissal order, the present writ petition is filed.

Since the Award dated 31.3.1988 is passed in favour of the petitioner, he is entitled to pursue his remedies including back wages and other incidental charges in pursuance of the Award by filing petition under Sec.11-B of Industrial Disputes Act for execution of the said Award.

Therefore, this writ petition is disposed of giving liberty to the petitioner to file a petition under Sec.11-B of Industrial Disputes Act and upon such petition being filed, the 1st respondent is directed to adjudicate the issue within a reasonable period of two months from the date of receipt of such petition, after giving opportunity to the parties.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI ,J

Date:4.12.2017
KPM