

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 23891 of 2003

ORDER:

The petitioner challenges the award dated 22.01.1998 passed by the 1st respondent-Labour Court in I.D.No.39 of 1994 whereby the Labour Court while setting aside the orders of removal of petitioner from service, ordered his reinstatement as fresh controller without any benefits.

When the matter is taken up for hearing, it is noticed that the petitioner has attained the age of superannuation.

This Court, having gone through the entire record, is of the considered view that the Labour Court has rightly passed the award in favour of the petitioner and no illegality or irregularity is noticed in the award passed by the Labour Court. In the absence of the same, this Court cannot interfere with the findings of the Labour Court. However, the Labour Court ought to have granted continuity of service to the petitioner at least for the purpose of terminal benefits without any monetary benefits. Therefore, this Court feels that ends of justice would be met if the petitioner is granted continuity of service only for the purpose of terminal benefits without any monetary benefits.

Accordingly, the writ petition is disposed of granting continuity of service to the petitioner only for the purpose of terminal benefits without any monetary benefits. The rest of the Award passed by the Labour Court is confirmed. There shall be no order as to costs.

Consequently, miscellaneous petitions pending in the writ petition, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

8th November, 2018
cbs



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(disposed of)

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