

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.20151 OF 2002

ORDER:

1. This writ petition is filed seeking to issue a writ of Certiorari calling for the records relating to and connected with I.D.No.82 of 1999 on the file of the 1st respondent-Labour Court, and to quash the award dated 11.4.2002 passed therein only to the extent of denying the service and monetary benefits.

2. Heard and perused the material available on record.

3. It has been contended by the learned Counsel for the petitioner that the Labour Court ought to have allowed the I.D. by exercising the powers under Section 11-A of the Industrial Disputes Act by granting continuity of service while setting aside the order of removal.

4. The learned Standing Counsel for the respondent-Corporation contended that the Labour Court has rightly passed the award, and no further interference is called for, and more over, no illegality or irregularity has been pointed out by the petitioner in the award impugned.

5. This Court having considered the submissions made by the parties is of the view that the Labour Court ought to have

granted continuity of service only for the purpose of terminal benefits without any monetary benefits.

6. Accordingly, the Writ Petition is disposed of directing the respondent-Corporation to extend the continuity of service to the petitioner only for the purpose of terminal benefits without any monetary benefits. Rest of the award impugned is confirmed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated: 26th October, 2018.
Nn.



HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.20151 OF 2002

(disposed of)



26/10/2018

Nn.

