

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.14218 2007

ORDER

This writ petition is filed for the following relief:

“...to issue an order, direction or writ more particularly one in the nature of writ of Mandamus declaring that (i) the action of the first respondent in unilaterally imposing rules for trade unions in the establishments through the Code of Discipline issued in Office Memorandum Ref.No.P.8/5923/IR/505, dated 6/3/2001 is unlawful, arbitrary and (ii) the conduct of the second respondent in not deciding the dispute raised by the petitioners concerning the said Code of Discipline but instead making it the basis for verification/elections in the establishment is unlawful and unreasonable exercise of responsibility, and further directing the first respondent not to insist on implementing the said Code of Discipline until the dispute raised by the petitioner Unions concerning the same is lawfully resolved, and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.” (reproduced verbatim)

When the matter is taken up for hearing, learned Standing Counsel appearing for the 1st respondent as well as the 4th respondent has brought to the notice of this Court that elections were held in the year 2007 and the tenure of the elected body was initially for a period of two years and subsequently, their tenure was enhanced to four years and the said enhanced period also lapsed. Therefore, the cause in the writ petition does not survive for adjudication.

In view of the said submission, the Writ Petition is closed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

27th April, 2018
rkk

