

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 17611 of 2002

ORDER:

The petitioner challenges the orders dated 26.09.1997 passed by the 1st respondent-Labour Court in I.D.No.237 of 1995 to the extent of denying back wages and continuity of service to him.

The petitioner contends that the Labour Court, while setting aside the orders of removal, erroneously denied back wages and continuity of service to him.

Learned counsel for the petitioner contends that the Labour Court at least ought to have granted continuity of service for the purpose of terminal benefits without any monetary benefits.

Learned standing counsel for the 2nd respondent corporation contends that the Labour Court has rightly passed the impugned orders and no illegality or irregularity has been pointed out in the orders passed by the Labour Court and in the absence of the same, this Court cannot interfere with the orders passed by the Labour Court and there are no merits in the writ petition and the same is liable to be dismissed.

Having considered the submissions made by the parties, this Court is of the considered view that the Labour Court ought to have at least granted continuity of service for the purpose of terminal benefits without any monetary benefits. Therefore, ends of justice would be

met, if the 2nd respondent corporation is directed to grant continuity of service to the petitioner for the purpose of terminal benefits without any monetary benefits.

Accordingly, the writ petition is disposed of with a direction to the 2nd respondent corporation to grant continuity of service to the petitioner for the purpose of terminal benefits without any monetary benefits. Rest of the orders passed by the Labour Court is confirmed.

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

30th October, 2018
cbs

ABHINAND KUMAR SHAVILI, J



HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



Writ Petition No. 17611 of 2002
(disposed of)

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