

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

WRIT APPEAL No.571 of 2018

JUDGMENT: (Oral)

(Per Suresh Kumar Kait, J)

Vide the present appeal, appellant has challenged order dated 21.06.2017 passed in W.P.No.3315 of 2009 by the learned single Judge. In the said writ petition, appellant challenged award dated 26.10.2007 made by the Labour Court – I Hyderabad in I.D.No.170 of 2005.

It is submitted by the learned counsel for the appellant that the learned single Judge passed the impugned order despite the fact that W.P.No.16779 of 2008 filed by the appellant herein against the said I.D., is pending adjudication.

The said submission is not disputed by the learned Standing Counsel and the learned Government Pleader appearing for the respondents.

Since W.P.No.16779 of 2008 filed by the appellant herein against the proceedings in I.D.No.170 of 2005 is pending adjudication, we are of the considered opinion that no order could have been passed by the learned single Judge in W.P.No.3315 of 2009, which is filed by the appellant herein against the very said I.D.

Accordingly, we set aside order dated 21.06.2017 passed in W.P.No.3315 of 2009 and remit the matter to the learned single Judge to decide the issue afresh after considering W.P.No.16779 of 2008 filed by the appellant herein against I.D.No.170 of 2005.

The appeal is accordingly disposed of. No order as to costs.

As a sequel, miscellaneous petitions if any pending in the appeal, stand closed.

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

June 25, 2018
MRR

