

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.22074 OF 2001

ORDER:

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the order dated 28.9.2001 passed by the 2nd respondent-Labour Court in I.D.No.570 of 2000 as illegal and arbitrary, and consequently, to declare the domestic enquiry conducted by the petitioner as legal and valid.

2. Heard Sri Koka Satyanarayana Rao, learned Counsel for the petitioner and Sri P.B. Vijay Kumar, learned Counsel for the 1st respondent.

3. It has been contended by the learned Counsel for the petitioner that the petitioner-management had terminated the services of the 1st respondent on the ground that she indulged in the act of willful insubordination and gross disobedience of the instructions of the management, and then the 1st respondent filed I.D.No.570 of 2000 before the 2nd respondent-Labour Court, and the Labour Court vide order dated 28.9.2001 held that 75% of the subsistence allowance was not paid and therefore, the domestic enquiry proceedings, which were conducted against the 1st respondent herein, were vitiated. Aggrieved by the same, the petitioner-management filed this writ petition.

4. Since the 1st respondent was terminated on 30.12.1999 based upon the enquiry, which was held to be vitiated by the Labour Court vide order dated 28.9.2001 in I.D.No.570 of 2000 and since the petitioner-management is resisting reinstatement of the petitioner at this length of time, this Court is of the view that ends of justice would be met if this writ petition is disposed of directing the petitioner-management to pay a sum of Rs.3,00,000/- (Rupees Three lakhs only) to the 1st respondent in lieu of her reinstatement.

5. Accordingly, the Writ Petition is disposed of directing the petitioner-management to pay an amount of Rs.3,00,000/- (Rupees Three Lakhs only) to the 1st respondent in lieu of her reinstatement, within a period of six (6) weeks from the date of receipt of a copy of this order. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Dated:27.07.2018

Nn

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.22074 OF 2001



27/07/2018

Nn.