

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.19323 of 2003

ORDER:

This writ petition is filed challenging the action of the respondents in not referring the industrial dispute to the Labour Court, in spite of the failure report submitted by the concerned officer.

The learned counsel for the petitioner contends that the 1st respondent ought to have referred the dispute to the Labour Court for adjudication under Section 12(5) of Industrial Disputes Act. The action of the 1st respondent in rejecting the case of the petitioner, vide letter dated 8-11-2001 is illegal, arbitrary and consequently sought a direction to the 1st respondent to refer the dispute to the concerned Labour Court for adjudication.

This Court, having considered the said submission of the learned counsel for the petitioner is of the considered view that this writ petition can be disposed of directing the 1st respondent to refer the dispute to the Labour Court and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of.

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

ABHINAND KUMAR SHAVILI, J

17th December, 2018