

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.7974 of 2003

ORDER:

This writ petition is filed seeking to issue a writ of certiorari calling for the records relating to and connected with I.D.No.19 of 1999 on the file of the 5th respondent insofar as denying continuity of service and back wages.

Heard learned counsel appearing for the petitioner and learned Standing Counsel appearing for the respondents 1 to 4.

Learned counsel appearing for the petitioner contends that the Labour Court ought to have interfered with the orders of the reviewing authority and granted continuity of service for the purpose of terminal benefits without monetary benefits, and that pursuant to the order of the reviewing authority, the petitioner was reinstated into service.

Learned Standing Counsel appearing for the respondents-Corporation contends that the Labour Court has rightly dismissed the I.D. while confirming the orders of the reviewing authority and no interference is called for from this Court.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that the Labour Court ought to have interfered with the

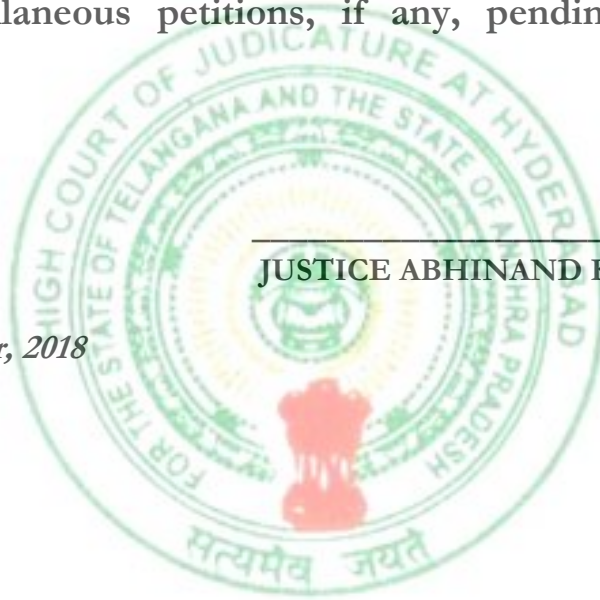
orders of the reviewing authority and granted continuity of service at least for the purpose of terminal benefits, without monetary benefits.

Accordingly, the Writ Petition is disposed of directing the respondent-Corporation to treat the reinstatement of the petitioner into service with continuity of service for the purpose of terminal benefits, without monetary benefits. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

15th December, 2018
rkk



HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



W.P.No.7974 of 2003
(disposed of)

15th December, 2018

cbs