

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.27863 OF 2005

ORDER:

The writ petition is filed seeking to declare the action of the respondent in retiring the petitioners from service by proceedings dated 23.3.2005, as illegal and arbitrary.

When the matter is taken up for hearing, the learned counsel for the petitioner submits that the issue involved in the present writ petition, is squarely covered by the judgment dated 08.12.2010 of the Division Bench of this Court in Writ Appeal No.2517 of 2005.

The Division Bench of this Court in the above said judgment has held as under:

“Accordingly, the writ appeal is allowed by setting aside the order dated 23.11.2005, passed by the learned Single Judge of this Court in W.P.No.9933 of 2005. However, the petitioners are at liberty to raise an Industrial Dispute before the competent Industrial Tribunal-cum-Labour Court. There shall be no order as to costs.”

A perusal of the above said judgment, would indicate that this matter is also similar and identical of the above said matter. Therefore, this writ petition is disposed of in terms of the judgment dated 08.12.2010, passed by the Division Bench of this Court in Writ Appeal No.2517 of 2005 and the petitioners are at liberty to raise an Industrial Dispute before the competent Industrial Tribunal-cum-Labour Court. No order as to costs.

As a sequel to disposal of the writ petition, Miscellaneous Petitions, if any pending, shall also stand closed.

ABHINAND KUMAR SHAVILI,J

Date:18.09.2018.
Gk.



HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

28



WRIT PETITION No.27863 OF 2005

Date:18.09.2018

Gk.