

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.3154 of 2002

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“to call for the records relating to and in connection with the award passed in I D No 220/98 Dt.28.9.2001 on the file of the Labour Court, Ananthapur including the consequential G.O.Rt. No. 2985, Dt.19.11.2001 and quash the same as arbitrary, illegal and contrary to law by way of issue of a writ of Certiorari or any other appropriate Writ, order or direction as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. This Court, at the time of admitting the writ petition, granted interim suspension on 19.02.2002 and the same was made absolute on 25.04.2002.

3. When the matter is taken up for hearing today, learned Standing Counsel for the petitioner-Corporation submits that the interim order can be treated as final order and the writ petition can be disposed of. He further stated that since the 2nd respondent-workman has attained the age of 61 years, no reinstatement orders can be issued at this point of time. Therefore, the cause in this writ petition does not survive for further adjudication.

4. Considering the fact that during pendency of writ petition the 2nd respondent-workman has attained the age of superannuation, he is entitled to full wages last drawn by him under Section 17-B of the Industrial Disputes Act, 1947 and petitioner-Corporation has to pay the same to the 2nd respondent-workman.

5. With the above observation, the Writ Petition is disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

ABHINAND KUMAR SHAVILI, J

JULY 25, 2018
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Date:25.07.2018

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