

**HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE A. RAJASHEKER REDDY**

WRIT APPEAL No. 55 of 2019

JUDGMENT: *(per the Hon'ble Sri Justice A. Rajasheker Reddy)*

This Writ Appeal is filed against the order dated 26.10.2018 passed by the learned Single Judge in dismissing Writ Petition No.28020 of 2009 filed by the appellant questioning the orders, dated 22.01.2009, 23.12.2008 and 27.08.2009 passed by the Chairman-cum-Presiding Officer, Additional Industrial Tribunal-cum-Additional Labour Court, Hyderabad, in I.A.No.125 of 2008; I.A.Nos.127 of 2008; I.A.Nos.86, 87, 88, 89, 90, 91, 92 and 93 of 2009, respectively, in M.P.No.51 of 2003, condoning the delay in filing the set aside petitions and setting aside the *ex parte* order, dated 10.08.2005.

By the aforesaid order, the learned Single Judge dismissed the Writ Petition mainly on the ground that the Labour Court is seized of the matter in M.P.No.51 of 2003.

Learned counsel for the appellant submits that the Labour Court by its order, dated 11.04.2017 disposed of M.P.No.51 of 2003 and thereby, prays for grant of liberty to the appellant to challenge the said order.

In view of the above, we do not see any reason to entertain this Writ Appeal and interdict the order under appeal. However, we will grant liberty to the appellant to challenge the order dated 11.04.2017 passed by the Labour Court in M.P.No.51 of 2003.

Granting the aforesaid liberty to the appellant, this Writ Appeal is disposed of.

Pending miscellaneous petitions, if any, shall also stand closed. There shall be no order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

Date: 06.02.2019

A. RAJASHEKER REDDY, J

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