

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.17649 OF 2019

ORDER:

When the matter is taken up for hearing, learned counsel for the petitioner submits that the issue raised in this Writ Petition is squarely covered by the order passed by this Court in W.P.No.44170 of 2016 and batch dated 30.06.2019 and contends that similar order be passed in this Writ Petition also.

Learned Standing counsel for the respondents has not disputed the said submission of counsel for the petitioner and contends that this Writ Petition can also be disposed of in terms of the order in W.P.No.44170 of 2016 and batch dated 30.06.2019.

This Court, having considered the submissions made by both the parties, is of the considered view that this Writ Petition can also be disposed of in terms of the order in W.P.No.44170 of 2016 and batch dated 30.06.2019, directing the respondents to once again forward the medical invalidation certificate to the competent Medical Board so as to decide as to whether the petitioner/employee fall within Clause (i) or (ii) of 9.4.0 and after re-assessing/re-categorizing the employee, the respondents shall accordingly act in terms of the National Coal Wage Agreement-VI and pass appropriate orders in accordance with law. The entire exercise should be completed within three months from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Office is directed to enclose a copy of the order in W.P.No.44170 of 2016 and batch dated 30.06.2019 to this order.

Miscellaneous petitions, if any, pending in these writ petitions shall stand closed.

(ABHINAND KUMAR SHAVILI, J)

19.08.2019
dv

