

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.28022 OF 2019

ORDER:

This writ petition is disposed of at the admission stage, with the consent of both the counsel appearing for the respective parties.

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 of this Court in W.P.No.44170 of 2016 and batch dated 30.07.2019 and contends that similar order be passed in the present writ petition also.

Learned Standing counsel appearing for the respondents has not disputed the above said submission of the learned counsel for the petitioner.

This Court, having considered the submissions of both the counsel, is of the considered view that this writ petition can be disposed of in terms of the order dated 30.07.2019 in W.P.No.44170 of 2016 and batch 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.

With the above direction, the writ petition is disposed of.

No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 18-12-2019

Note:

Office is directed to enclose a copy of the
order dated 30.07.2019 in W.P.No.44170 of 2016
and batch to this order

(B/o) dv

