

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.28477 of 2014

ORDER:

When the matter is taken up for hearing, counsel for petitioner has contended that he had approached the Industrial Tribunal-cum-Labour Court under Section 2-A(2) of the Industrial Disputes Act by filing I.D.No.141 of 2005, challenging the modified punishment orders of the appellate authority from removal to that of postponement of annual increments for a period of two years with cumulative effect, and the Tribunal vide orders dated 05.04.2006, dismissed the said I.D. on the ground that said application is not maintainable as the petitioner was not challenging the orders of removal/termination/discharge.

Counsel for petitioner submits that the petitioner be permitted to withdraw I.D.No.141 of 2005 preferred before the Industrial Tribunal-cum-Labour Court so as to enable him to pursue the remedies before the Conciliation Officer in accordance with the Industrial Disputes Act.

This Court, having considered the above submission, is of the considered view that the petitioner be permitted to withdraw I.D.No.141 of 2005 preferred by the petitioner, giving liberty to pursue his remedies before the Conciliation Officer. Upon such reference being made, the Conciliation Officer would entertain the same and proceed in accordance with law.

With these observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

30th September 2019

ajr