



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.7121 of 2011

The Management,
M/s.United India Shoe Corporation,
Bottom Division,
Solur, Ambur,
Rep. by Div. Manager-HR.

... Petitioner

Vs

1.The Presiding Officer,
Principal Labour Court,
Vellore District.

2.G.Sivalakshmi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records and quash the Award dated 01.11.2020 made in I.D.No.19 of 2008 passed by the first respondent, Presiding Officer, Principal Labour Court, Vellore.

For Petitioner : M/s.Gupta and Ravi

For R1 : Labour Court

For R2 : No Appearance

ORDER

The learned counsel for the petitioner would submit that during the pendency of the present writ petition, a Corporate Insolvency Resolution Process (CIPR) under Section 9 of the Insolvency and Bankruptcy Code, 2016 (IB Code) has commenced against the petitioner-Company on 31.10.2018. The National Company Law Tribunal (NCLT), Chennai, has also declared moratorium under Section 14 of the IB Code on 31.10.2018 and has prohibited the continuance of any suits or proceedings against the petitioner-Company and an Interim Resolution Professional (IRP) has also been appointed.



2. While that being so, it would not be appropriate to pursue with the present writ petition, wherein the Award of the Industrial Tribunal directing reinstatement of the second respondent into service has been put under challenge. However, if the petitioner is granted liberty to work out his remedies in accordance with the final decision to be taken by the NCLT, the ends of justice could be secured.

3. In the result, without going into the merits of the grounds raised by the petitioner herein, the writ petition stands closed, in the light of the pendency of the proceedings before the NLCT, Chennai, with liberty to the petitioner to file a fresh writ petition to work out his remedies in accordance with the outcome of the final decision to be taken by the NCLT under the IB Code. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

hvk

To

The Presiding Officer,
Principal Labour Court,
Vellore District.

+lcc to M/s.Gupta & Ravi, Advocate Sr No.39915

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GP (CO)
PR (03/09/2021)