

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.12177 of 2009

Kendrapara Municipality ***Petitioner***
Mr.P.K.Das, Advocate
-versus-
Labour Court Bhubaneswar and ***Opp. Parties***
Others
Mr. A.P.Das, ASC

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAIK**

**ORDER
09.03.2022**

Order No.

6. 1. The present petition has been filed by the Kendrapara Municipality questioning an order dated 1st June, 2009 passed by the Labour Court, Bhubaneswar in I.D. Misc.Case No. 49 of 2001 whereby Labour Court rejected the preliminary objection raised by the present Petitioner regarding maintainability of the aforementioned Misc.Case No. 49 of 2001 by the Opposite Parties-Workmen under Section 33 C (2) of the Industrial Disputes Act, 1947.
2. While issuing notice in the present petition on 25th August, 2009 there was stay of further proceedings in I.D. Misc.Case No. 49 of 2009 pending before the Labour Court.
3. When the present petition was filed there were seven Opposite Parties. During the pendency in the present petition Opposite Parties Nos. 3 & 5 have withdrawn their claims and Opposite Party No. 6 has expired. The Opposite Parties Nos. 2, 4 & 7 have left service and not been re-employed. These

developments have been stated in an affidavit dated 7th March, 2021 of the Petitioner.

4. In view of the above facts, there is no need to continue to entertain the present petition as the main Industrial Dispute case itself may not proceed. This writ petition is accordingly disposed of.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

Tudu/Kabita

