

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No.14555 of 2006

Keonjhar Central Cooperative Bank ***Petitioner***
Limited, Keonjhar

Mr. Pitambar Acharya, Senior Advocate

-versus-

Khetrabasi Mishra and others ***Opposite Parties***
Smt. S. Pattanayak, AGA

CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAIK

ORDER
14.02.2022

Order No.

10. 1. The challenge in the present petition by the Petitioner is to an order dated 25th May, 2006 passed by the Labour Court, Sambalpur in ID Misc. Case No.21 of 1999. These were proceedings under Section 33-C (2) of the Industrial Disputes Act, 1947 (I.D. Act) claiming wages for the duties performed by the Opposite Party No.1 while he was working as the Cadre Secretary of Khalana Service Co-operative Society.
2. The grievance of the Petitioner is that without examining the question of maintainability of such applications, the impugned order has been passed with a direction to the present Petitioner to pay a sum of Rs.1,80,446.46 together with cost of Rs.3000/- and further directed to pay simple interest @ 10% per annum till payment.

3. Notice in the present case was issued on 26th June, 2008. On 26th August, 2013, further proceeding in Certificate Case No.01 of 2012 pending before the Sub-Collector-cum-Certificate Officer, Keonjhar was stayed by this Court.

4. It is not known what the current status of Opposite Party No.1 is. In the circumstances, the only direction that can be issued is for the impugned order to be set aside and for the matter to be remanded to the Labour Court, Sambalpur for deciding afresh the question of maintainability. It is so ordered.

5. A copy of this order be sent to the Labour Court, Sambalpur forthwith for compliance. A copy of this order be also produced in the proceedings in the Certificate case for the said proceedings to be closed.

6. The writ petition is disposed of accordingly.

7. An urgent certified copy of this order be issued as per rules.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge

M.Panda