



CRP.(PD)No.3072 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.06.2022

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU

C.R.P.(NPD).No.3072 of 2019

and

C.M.P.No.19804 of 2019

The Management of Chithode Primary
Agricultural Co-operative Credit Society
Chithode – 638 102
Erode District.

.... Petitioner

vs

K.Subramanian

.... Respondent

This Civil Revision Petition filed under Section 115 of C.P.C.
Against the Fair and Decretal Order dated 28.09.2018 made in
R.E.A.No.34 of 2018 in R.E.P.No.4 of 2017 on the file of the Labour
Court, Salem.

For Petitioner : Mr.A.Sundaravadanam

For respondent : Mr.R.Prabakar

ORDER

This Civil Revision Petition is filed challenging the fair and
decretal order dated 28.09.2018 made in R.E.A.No.34 of 2018 in
R.E.P.No.4 of 2017 on the file of the Labour Court, Salem.



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2. The respondent herein filed I.D.No.406 of 2004 under Section 2-A(2) of Industrial Disputes Act, 1947 to set aside the demotion order dated 29.02.2000, to set aside the dismissal order dated 28.02.2001 and to reinstate him with continuity of service along with other monetary benefits. The award was passed in the said I.D. on 12.01.2009 setting aside the dismissal order and directing the respondent Management to reinstate the petitioner/ respondent herein with continuity of service, however, without backwages. Aggrieved against the said award, the Management filed W.P.No.11275/2009 before this Court, which was dismissed on 14.09.2011. The Management filed Writ Appeal before this Court in W.A.No.310 of 2012 and the Division Bench of this Court dismissed the said writ appeal. Thereafter, the respondent herein filed REP.No.4 of 2017 before the Labour Court, Salem along with calculation memo. The respondent therein also filed their counter statement. Thereafter, the Management filed petition in REA.No.34 of 2018 to grant leave to file additional counter along with calculation memo in REP.No.4 of 2017. The Labour Court, Salem, allowed the petition in REA.No.34 of 2018 on 28.09.2018, on condition to deposit the admitted amount of Rs.8,99,336/- on or before 09.11.2018. Challenging the said order,



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the present Civil Revision Petition is filed.

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3. Today, when the matter is taken up for hearing, it is stated by the learned counsel for the petitioner that the admitted amount of Rs.8,99,336/- has already been deposited before the court and therefore, as on date nothing survives for further adjudication in the present C.R.P. The said statement is recorded.

4. Learned counsel for the petitioner would further submit that the matter is pending for a long time and hence, a direction may be issued to the Labour Court to dispose of the above R.E.P within a stipulated time to be fixed by this Court.

5. Since the admitted amount has already been deposited in Court, the Civil Revision Petition is dismissed. However, the Labour Court, Salem, is directed to dispose of R.E.P.No.4 of 2017 within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

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Index:Yes/No
Speaking/Non-speaking order
vsi



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J.NISHA BANU,J.

Vsi

To

The Labour Court,
Salem.

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