

WP(C) 2274/2017

BEFORE

HON'BLE MR. JUSTICE HRISHIKESH ROY

The challenge here is to the Award dated 16.11.2015 (Page-128) whereby in the Reference Case No.4/2013, the learned Labour Court ordered for reinstatement of Hridayananda Phukan, the workman (respondent No.1), as his termination by the Management of M/s Bata India Ltd., was found to be unjustified.

According to the case projected by the workman, the Management gave him allurement to make his service permanent, after resigning from his post and that is how the resignation letter was written under misconception. The Labour Court found merit in the case projected by the workman and ordered for his reinstatement.

However the learned Counsel Mr. T. Roy for the Management refers to the resignation letter dated 6.9.2008 (Page-25) and also the full and final settlement of the dues, acknowledged by the employee on 27.9.2008 (Page-27), to project that it was a case of resignation and not a case of deceitful termination.

In view of above, let Notice returnable in 4 weeks be issued.

Petitioner to ensure service on both the respondents, by registered post