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SLP(C)No. 7558-7559 OF 2001
ITEM No.23

Court No. 1

SECTION XV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.7558-7559/2001
(From the judgement and order dated 16/02/2001 in WA 2429/00
and WA 2900/00 of The HIGH COURT OF KERALA AT ERNAKULAM)

V. ANTONY

Petitioner (s)

VERSUS

STATE BANK OF INDIA & ANR.

Respondent (s)

(With prayer for interim relief)

Date : 09/05/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MRS. JUSTICE RUMA PAL
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s) Mr. P. Krishnamoorthy, Sr. Adv.
Mr. Romy Chacko, Adv.

For Respondent (s)

UPON hearing counsel the Court made the following
O R D E R

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The petitioner was dismissed on 7th April, 1984 by the Bank of Cochin after an enquiry had been held. In 1985, the Bank of Cochin amalgamated with the State Bank of India. The petitioner has now challenged his dismissal and wants reinstatement. At the time when the petitioner was removed from service, he was admittedly an employee of a private bank. This being so, the relief of reinstatement could not be granted if the petitioner had chosen to file a civil suit and consequently even if a writ petition could have been filed such a relief could not have been granted. We may here notice that the authorities have come to the conclusion that the petitioner was not a workman within the meaning of that expression under the Industrial Disputes Act.

The special leave petitions are dismissed.

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Kalyani. (S.L. GOYAL) @@
AA
COURT MASTER@@
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