

**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT
JAIPUR.**

ORDER

S.B. CIVIL WRIT PETITION NO. 9675/2014
WITH
S.B. CIVIL MISC. STAY APPLICATION NO. 9033/2014

NARENDRA KUMAR SHARMA VS. THE STATE OF RAJASTHAN & ANOTHER.

DATE OF ORDER : 30.09.2014

HON'BLE MR. JUSTICE MOHAMMAD RAFIQ

Dr. Sohan Lal Sharma, for the petitioner.

BY THE COURT:

This writ petition filed by the petitioner is wholly misconceived. Prayer has been made in the writ petition that the respondents be directed to allow the petitioner to rejoin the duty and discharge work on the post of Laboratory Attendant and the petitioner be held entitled to resume duties and receive all the consequential benefits w.e.f. 12.01.2001 and the Advertisement dated 19.07.2014 inviting applications for recruitment on the post of Laboratory Attendant be quashed and set aside.

The petitioner was earlier ordered to be reinstated vide award dated 11.04.1996 passed by the Labour Court, Kota by declaring his termination vide order dated 02.03.1986 as illegal with 50% back wages and continuity of service. It was thereafter that the petitioner was reinstated but it appears that his services were again terminated which led to fresh reference of industrial dispute by the appropriate Government vide Notification dated 04.05.2002. It is not disputed that the proceedings in the aforesaid reference case are still pending before

the Industrial Tribunal, Kota as ITR Case No. 43/2002(LCR Case No. 43/2002) and the last date fixed in that matter was 21.08.2014.

The writ petition cannot be maintained in view of the pendency of that reference proceedings. However, it is impressed upon the Industrial Tribunal, Kota to speed up and conclude the proceedings in the aforesaid reference case within six months from the date copy of this order is produced before it.

The writ petition is dismissed, however, with the aforesaid direction.

Stay application also stands dismissed.

(MOHAMMAD RAFIQ),J.

Manoj, S.NO.63.

"All corrections made in the judgment/order have been incorporated in the judgment/order being emailed."

MANOJ NARWANI
Personal Assistant.