

(1998) 11 AP CK 0010

Andhra Pradesh High Court

Case No: Writ Appeal No. 1770 of 1998

Khader Mohiddin

APPELLANT

Vs

Central Bank of India and
Another

RESPONDENT

Date of Decision: Nov. 2, 1998

Acts Referred:

- Constitution of India, 1950 - Article 226

Citation: (1998) 6 ALT 468

Hon'ble Judges: Umesh Chandra Banerjee, C.J; P. Ramakrishnam Raju, J

Bench: Division Bench

Advocate: M. Pandu Ranga Rao, for the Appellant; C.V. Rajeeva Reddy, for the Respondent

Final Decision: Dismissed

Judgement

Umesh Chandra Banerjee, C.J.

This appeal is directed against an order of dismissal of the writ petition on the ground that the petitioner has an alternative remedy in the matter by way of an Industrial Dispute.

2. At the first blush, upon hearing the submissions made on behalf of the parties, we did consider the matter at some length. But by reason of the Bench decision of this Court in State Bank of India and others Vs. M. Rajaiah and others, we record our inability to lend concurrence to the submissions made by Sri M. Panduranga Rao, learned Advocate appearing in support of the appeal. Reliance on the decision of the Supreme Court in the case of Dr Bal Krishna Agarwal Vs. State of U.P. and Others, in our view, however, is misplaced and in any event the Supreme Court decision has no manner of application and the same is clearly distinguishable on facts. Be it noted that this Court in paragraph 32 of the judgment in State Bank's case supra observed that the matter does not fall within the sphere of judicial review ability and

having considered all the decisions in the matter, the Bench held that the writ is not maintainable and the respondents-petitioners have to seek relief for their grievances in the appropriate forum under the provisions of the Industrial Disputes Act and not by invoking the writ jurisdiction under Article 226 of the Constitution of India.

3. In our view, the law has been settled so far as this Court is concerned by the judgment as above. As such, this appeal fails and is dismissed. No order as to costs.