

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 16TH DAY OF MARCH 2017/25TH PHALGUNA, 1938

OP(LC) .No. 2430 of 2013 (O)

ID 1/2009 OF LABOUR COURT, KANNUR

PETITIONER(S) :

THE PAYANGADI URBAN CO-OPERATIVE BANK LTD,
NO C 975 RBI/UBD/ KR 430P,
REPRESENTED BY ITS SECRETARY, OFFICE OF THE
PAYANGADI URBAN CO-OPERATIVE BANK LTD,
PAYANGADI R.S. P.O., KANNUR DISTRICT

BY ADVS.SRI.T.MADHU
SRI.PRAMOD UDINOOKKARAN

RESPONDENT(S) :

V.K.PRASHOB,
S/O KRISHNAN, RESIDING AT IRINAVU,
IRINAVU P.O, KANNUR DISTRICT 670301

BY ADV. SRI.P.U.SHAILAJAN

THIS OP (LABOUR COURT) HAVING BEEN FINALLY HEARD ON
16-03-2017, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

SKG

OP(LC) .No. 2430 of 2013 (O)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1 TRUE COPY OF THE JUDGMENT DATED 01-11-2012 IN OP (LC)
NO. 1851/2011 ON THE FILE OF THIS HON'BLE COURT

EXHIBIT P2 THE TRUE COPY OF THE AWARD DATED 11-03-2013 IN I.D NO.
1/2009 ON THE FILE OF THE LABOUR COURT, KANNUR

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

P.S.TO JUDGE

SKG

A.MUHAMED MUSTAQUE, J.

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**O.P.(LC).No.2430 of 2013**

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Dated this the 16th day of March, 2017

J U D G M E N T

This original petition is filed by a co-operative society challenging an award passed by the labour court adjudicating a dispute between the co-operative society and its employee/respondent. In the light of the larger bench decision of this court in **Chirayinkeezhu Service Co-operative Bank Ltd. v. Santhosh [2015 (4) KLT 163 (L.B.)]**, the labour court has no jurisdiction to adjudicate the dispute between the Co-operative bank and its employees. Therefore, the entire proceedings in I.D.No.1/2009 is quashed and set aside. However, if the respondent approaches the competent authority under Section 69 of the Kerala Co-operative Societies Act, 1969 certainly, the competent authority shall consider the claim of the respondent after hearing the respondent and the petitioner within a period of four months from the date of filing such claim. The writ petition is disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

ms