

CASE BRIEF

Parties:

Plaintiff: Ing. K. V.

Defendant: Lesy města Brna, a.s.

Facts : The defendant send a letter (15.2.2005) to the plaintiff in which he said, that he is dismissed, because plaintiff was cancelled from the fiction of economic leader to the date of 1. 3. 2005 and defendant can't offer him another position for his qualification or another appropriate job.

Plaintiff take a legal action against the defendat and demanded that the dismissal has been consider as invalid.

Legal issue:

The question raised by this case is whether the emploer accompliset the offering obligation to the employee and wether the factic reasons of dismissal are really based on organisation changes.

Procedural history:

Plaintiff took a legal action against the defendat and demanded that the dismissal has been consider as invalid.

First Instance Court rejected the action and ruled, that the plaintiff has pay proceeding expensives 6664 Kč to the defendent.

Plaintiff appealed to a Regional court. Regional court upheld the ruling of the first instance court and raised proceeding expensives to 16 075 Kč.

Plaitif appealed to the Supreme court.

Reasonin of the court:

Supreme court reversed the ruling of regional court and remand the case to the regional court.