

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.41128 of 2015

Date: 29.12.2015

-
Between:

K.Maheswara Rao, Ex-Conductor of APSRTC,
E.No.4558156, S/o Surya Rao, Geddanapalli Post,
Powerpeta, Katrenikonda Mandal, East Godavari Dt.

.....Petitioner

And

The Chairman-cum-Presiding Officer, Industrial
Tribunal-cum-Labour Court, Visakhapatnam and
three others.

.....Respondents

The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.41128 of 2015

ORDER:

Petitioner joined services as Conductor in the year 1985. Disciplinary proceedings were initiated against him in the year 2006 on the allegations of cash and ticket irregularities, which resulted in imposing punishment of removal from services on 18.01.2007. The appeal and review filed by the petitioner were also rejected. Challenging the order of removal, petitioner raised industrial dispute bearing I.D.No.27/2009 before the Industrial Tribunal-cum-Labour Court, Visakhapatnam. The claim of the petitioner was also rejected by the Labour Court vide award dated 27.06.2013 and the same was published vide G.O.Rt.No.803, dated 17.08.2013. Petitioner filed this writ petition challenging the said order.

2. When the matter is taken up for consideration, learned counsel for petitioner fairly submits that petitioner do not intend to prosecute the writ petition against the award passed in I.D.No.27/2009 and he is satisfied if direction is issued to the respondent corporation for settlement of the service benefits on account of the services rendered by him. Learned counsel further submits that petitioner is entitled to receive the service benefits, such as, gratuity, provident fund etc., and so far the amounts are not settled. Learned standing counsel representing respondent corporation submits that petitioner has not made representation so far and if a request is made for release of service benefits, the same shall be considered and appropriate decision will be taken.

3. Having regard to the said submissions, the writ petition is

disposed of granting liberty to the petitioner to make a representation to the Depot Manager, APSRTC, Razole Depot, East Godavari (2nd respondent) requesting for settlement of the service benefits to which he is entitled. On receipt of such request, the 2nd respondent shall consider the same and pass appropriate orders as warranted by law within a period of four (04) weeks thereafter. If the petitioner is entitled, the amounts payable to him shall be released as expeditiously as possible within a period of six weeks from the date of receipt of representation.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 29.12.2015

kkm

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.41128 of 2015

Date: 29.12.2015

kkm