

HON'BLE SRI JUSTICE SANJAY KUMAR

Writ Petition No.8112 of 2012

Date: 13.02.2015

Between:

The RTC Telangana Mazdoor Union,
Rep. by its Zonal Secretary

... Petitioner

And

The APSRTC, rep. by its Depot Manager
Falaknuma Depot, Hyderabad

... Respondent

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ORDER:

This writ petition was filed by the RTC Telangana Mazdoor Union, Hyderabad, challenging the action of the Andhra Pradesh State Road Transport Corporation (APSRTC) in enforcing recovery proceedings pursuant to the show cause notice dated 01.03.2012 during the pendency of conciliation proceedings.

2. By order dated 26.03.2012, this Court, taking note of the fact that conciliation proceedings were pending, observed that the Management was not expected to change service conditions and accordingly granted interim stay of further recovery proceedings. It is now stated by the learned counsel for the petitioner-union that the conciliation proceedings failed pursuant to which an industrial dispute has been referred by the Government under the provisions of the

Industrial Disputes Act, 1947 and has been numbered as ID No.6 of 2013 on the file of the Industrial Tribunal-II, Hyderabad. This fact is not denied by the learned standing counsel for the respondent-APSRTC.

3. In the light of the aforesaid development, as the matter is seized by the Industrial Tribunal pursuant to the reference made by the State Government, the APSRTC cannot seek to give effect to any recovery proceedings at this stage. It would necessarily have to await the decision in the industrial dispute.

4. The writ petition is accordingly allowed, directing the respondent-APSRTC to await the decision in the pending industrial dispute and not to enforce recovery proceedings at this stage. Pending miscellaneous petitions, if any, shall also stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

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BSS

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