

**THE HONOURABLE SRI JUSTICE U.DURGA PRASAD
RAO**

WRIT PETITION No.9014 of 2001

ORDER:

In this Writ Petition, the petitioner challenges the Award dt. 29.01.2001 in I.D.No.95 of 2000 passed by the learned Chairman, Industrial Tribunal—II, Hyderabad, whereunder the Presiding Officer though observing that the first respondent herein being the worker in the Share Medical Care, Medicity, Medchal Mandal, Ranga Reddy District, beat a co-worker held that the termination of the petitioner from service does not commensurate with proved misconduct and accordingly directed the Management to reinstate the first respondent herein into service with continuity of service but without back wages. It further directed to stop eight annual increments with cumulative effect and fix his pay on the basis of imposition of such penalty from the date of termination till the date of reinstatement. Aggrieved, the Management preferred the present Writ Petition.

2. Though the matter is listed under the caption for dismissal, there is no representation on behalf of the petitioner.

3. Ms. Priyanka Singh, learned counsel for first respondent herein is present and submitted her arguments to the effect that Industrial Tribunal having rightly found that the punishment was disproportionate to the misconduct of the first respondent, directed the Management to reinstate the first respondent herein with continuity of service but without back wages and also stoppage of eight annual increments with cumulative effect for fixing his pay on

the basis of imposing of such penalty from the date of termination till the date of reinstatement and hence there is no need to review the said direction.

4. Incidentally, learned counsel submitted that in pursuance of the Award, the Management has taken first respondent herein into service and implemented the Award.

5. A perusal of the Award passed by the Chairman, Industrial Tribunal-II, Hyderabad, reveals that having taken the facts and evidence presented by the parties in right perspective, the Chairman, Industrial Tribunal-II has passed the Award and there is no reason to interfere with the findings of the Labour Tribunal. Therefore, this Writ Petition is to be dismissed as devoid of merits.

6. Accordingly, the Writ Petition is dismissed. No costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 04.12.2015
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**THE HONOURABLE SRI JUSTICE U.DURGA PRASAD
RAO**

W.P. No.8379 of 2001

Dt. 07.01.2016

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