

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 24830 of 2010

Order:

The petitioners – Corporation filed the present Writ Petition challenging the award passed by the Labour Court in ID No.20 of 2009, dated 18.06.2010, directing them to reengage the first respondent into service with continuity of service and with 50% back wages from 03.08.2007 to 13.03.2008 and from 23.04.2009 till the date of passing of the award and for inclusion of the name of the first respondent in the panel of conductors for regularization.

2. The Labour Court on the application of the first respondent passed the award on 18.06.2010 in ID No.20 of 2009 as follows.

“In the result partly allowed the petition and direct the respondents to consider that the petitioner remained in the continuous service of APSRTC as a daily wage conductor and direct the respondents to pay 50% of back wages to the petitioner from 03.08.2007 to 13.03.2008 and from 23.04.2009 to till date. The petitioner would not be entitled for any wages from 14.03.2008 to 22.04.2009. Further direct the respondents to include the name of the petitioner in the panel of conductors for regularization in the immediate next panel. Both the sides should bear their own costs.”

3. Now, when the Writ Petition is taken up for consideration, both the parties agreed for substitution of the said award with the consent memo filed on behalf of the petitioners – Corporation and signed by both the parties.

4. It is not in dispute that the first respondent was taken into service on 20.08.2010 and she has been continuing as on today. In view of the same, recording the following statement made in the memo filed on behalf of the petitioners – Corporation but signed by both the parties, this Writ Petition is disposed of.

“.....The petitioner-Corporation is willing to settle the matter by extending the benefit of regularization to the respondent w.e.f. 01.09.2010 without any back wages from

the date of removal till the date of her reinstatement and by fixing her pay in the regular time scale of pay in RPS 2009 and giving her pay fixation benefit in RPS 2013. The difference of wages and incremental benefits will be paid only from the date of orders in the present Writ Petition.”

5. It is needless to observe that this Writ Petition is disposed of by way of consent of the parties and in substitution of the award passed by the Labour Court as above. There shall be no order as to costs.

6. As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition shall stand closed.

A.
Date: 20.04.2016
Nsr

RAMALINGESWARA RAO, J