

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.26815 OF 2000

ORDER

Heard Sri P.Gopal Das, learned counsel appearing for the petitioner and Sri P.Durga Prasad, learned Standing Counsel appearing for the 1st respondent-Corporation.

This writ petition is filed seeking to issue a writ of Certiorari calling for the records relating to and connected with I.D.No.142 of 1996 on the file of the Labour Court, Guntur and to quash the award passed therein.

It is the case of the petitioner that while he was working as Sweeper in the respondent-Corporation, he applied medical leave from 4.11.1988 and he was absent till 9.1.1989; that the respondent-Corporation had initiated disciplinary proceedings against the petitioner for his un-authorized absence and thereafter, removed him from service *vide* proceedings dated 8.2.1989. Challenging the same, the petitioner preferred the said I.D. before the 2nd respondent-Labour Court, Guntur, which by its order dated 8.7.1998 set aside the order of removal and directed the respondent-Corporation to reinstate the petitioner into service with continuity of service, but without back wages.

From the material on record, it is obvious that the petitioner approached the 2nd respondent with a delay of six

years from the date of his removal. In view of the same, this Court is of the view that the 2nd respondent-Labour Court passed a reasoned order and rightly denied the back wages to the petitioner. When there is a delay of nearly six years on the part of the petitioner, the 1st respondent-Corporation cannot be burdened with back wages. I do not see any merit in the writ petition.

Accordingly, the Writ Petition is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

5th December, 2017

rkk

