

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 22735 of 2000

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, by the petitioner, seeking a writ of certiorari to call for the record in I.D.No.311 of 1989 on the file of the Labour Court, Guntur, 2nd respondent herein, and set aside the award dated 21.03.2000 passed therein to the extent of denying back wages to the petitioner and continuity of service.

2. Heard Sri B. Narasimha Sarma, learned counsel for the petitioner, and the learned Government Pleader for Labour.

3. The case of the petitioner, in brief, is that he was employed in the 1st respondent company as an operator on 10.03.1992. As many grievances of the workmen are not being redressed by the management of the 1st respondent company, the workmen started a trade union and he was elected as Vice-President. His participation into the activities of the trade union was not appreciated by the management of the 1st respondent company, and keeping this in mind, they kept him under suspension on 23.12.1985. Subsequently, a charge memo-cum-enquiry notice dated 17.03.1986 was issued to him. After conducting enquiry, he was dismissed from service vide orders dated 30.05.1989. Challenging the same, he preferred I.D.No.311 of 1989 before the Labour Court, Guntur, under Section 2-A (2) of the Industrial Disputes Act. The Labour Court

passed an award dated 21.03.2000 by setting aside the order of dismissal dated 30.05.1989 and directing the 1st respondent company to reinstate him into service without back wages and continuity of service. Questioning the award of the Labour Court to the extent of denying back wages and continuity of service, he filed the present writ petition.

4. During the course of arguments, it is brought to the notice of this Court that a writ petition in W.P.No.15580 of 2000 was filed by the management of the 1st respondent company challenging the very same award. This Court allowed the said writ petition by an order dated 06.08.2015. In view of the same, nothing survives for adjudication in the present writ petition. Therefore, the Writ Petition is dismissed.

Consequently, miscellaneous petitions if any pending in the writ petition shall also stand dismissed. There shall be no order as to costs.

ABHINAND KUMAR SHAVILI, J

12th December, 2017
cbs

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WRIT PETITION No. 22735 of 2000
(dismissed)

12th December, 2017

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