

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.25520 OF 2000

ORDER:

1. This writ petition is filed seeking to issue a writ of Certiorari calling for the records relating to and connected with I.D.No.41 of 1987 on the file of the 1st respondent-Labour Court, and to quash the award therein dated 28.4.1990 to the extent denial of continuity of service, back wages and other attendant benefits, and to direct the 2nd respondent to grant continuity of service, back wages and other attendant benefits.

2. Heard Sri G. Ravi Mohan, learned Counsel for the petitioner and Sri A. Ravi Babu, learned Standing Counsel for TSRTC.

3. It has been submitted by the learned Counsel for the petitioner that the petitioner was removed from service vide order dated 12.12.1985 consequent upon the disciplinary proceedings initiated by the 2nd respondent against him on the allegation of certain cash and ticket irregularities; and challenging the said removal order, the petitioner filed I.D.No.41 of 1987 before the 1st respondent and that the 1st respondent was pleased to allow the said I.D. partly directing the 2nd respondent to reinstate the petitioner into service with continuity of service, while denying the back wages; and further, the 1st respondent observed that the intervening period between the date of removal and the date of reinstatement shall not be counted for seniority and increments; and aggrieved by the denial of back wages and other benefits as to the seniority and increments for the above intervening period, the petitioner filed this writ petition.

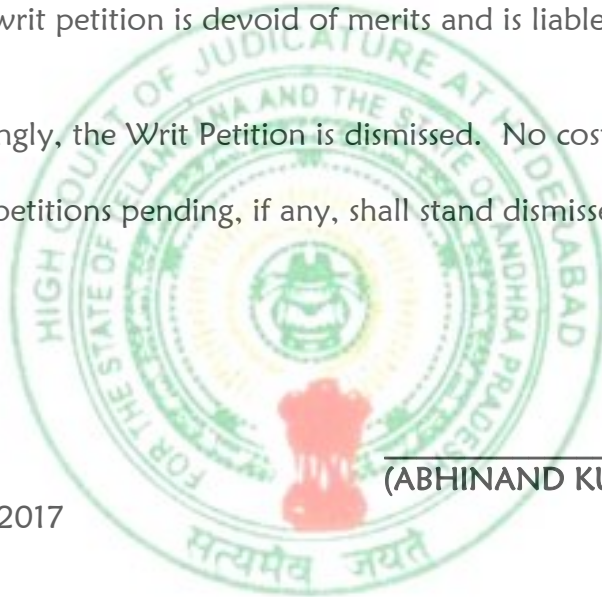
4. The learned Standing Counsel for the 2nd respondent contends that the 1st respondent has rightly passed the award denying back wages to the petitioner, and that the award impugned does not warrant any interference and this writ petition is liable to be dismissed.

5. The award challenged in this writ petition was passed on 28.4.1990 and after a period of 10 years, the petitioner filed this writ petition challenging the said award to the extent of denial of back wages and other attendant benefits. The delay in filing this writ petition itself is a ground to reject the claim of the petitioner for back wages and other attendant benefits. The writ petition is devoid of merits and is liable to be dismissed.

6. Accordingly, the Writ Petition is dismissed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

5th December, 2017
Nn

(ABHINAND KUMAR SHAVILI.J)



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