

THE HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.24102 of 2000

ORDER:

This writ petition is filed seeking to issue a writ of Certiorari calling for the records relating to I.D.No.83 of 1997, dated 18.12.1999, and quash the same, and consequently direct the respondents to reinstate the petitioner.

2. Heard Sri P.V. Ramana, learned counsel for the petitioner and Sri A. Srinivasa Sarma, learned counsel for the respondent.

3. The case of the petitioner is that initially, she was appointed as an Office Assistant on 16.11.1997 for a period of three years and the said tenure was extended from time to time and letters of appreciations were also given to the petitioner and she was designated as a Senior Assistant. While she was working as a Senior Assistant, the respondent has issued a notice of termination on 28.03.1997 and the respondent has paid compensation of Rs.9,345/- for compliance of Section 25(f) of Industrial Disputes Act and Rs.10,777.69 ps., towards full and final settlement of her services and also paid Rs.3,213.25 ps., towards the salary for the month of March and paid Rs.34,145/- towards Gratuity. The petitioner had filed I.D. No.83 of 1997 challenging the termination orders and the Industrial Tribunal cum Labour Court has passed a NIL Award vide orders dated 18.12.1999. The Tribunal, while passing the NIL Award, has given a specific finding that the petitioner was gainfully employed and she was running a telephone booth and after appreciating the entire evidence, it came to a conclusion that the petitioner is not entitled for reinstatement.

4. Learned counsel for the petitioner contends that Labour Court erred in not appreciating the facts of the case and has not taken the evidence into consideration, and it ought to have passed an award reinstating the petitioner into service.

5. I have examined submissions made by the counsel for the petitioner. I do not see any irregularity in the Award passed by the Industrial Tribunal cum Labour Court. The Industrial Tribunal cum Labour Court has considered every aspect and gave specific finding that the petitioner has gainfully employed, and the respondents have complied with all the requirements of law before terminating the services of the petitioner. Hence, I see no reason to entertain this writ petition.

6. Accordingly, the Writ Petition is dismissed. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed.

ABHINAND KUMAR SHAVILI, J

December 06, 2017
KTL

