

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.33856 of 2017

ORDER:

This writ petition is filed against the award of Labour Court dated 30-09-2013 in I.D.No.5 of 2008 published on 03-02-2014 in G.O.Rt.No.123, wherein the Labour Court has modified the order of punishment of removal to one of compulsory retirement by taking into consideration of the facts and having found that the petitioner is having left over service of three years of service.

It is to be seen that though award is passed in the year 2014, the writ petition is filed in the year 2017, there is no reason why the writ petition is filed with delay. As such the writ petition is liable to be dismissed on the ground of laches. A perusal of impugned award goes to show that the Labour Court has considered the facts and circumstances while exercising the discretion in modifying the punishment and this Court is not inclined to interfere with the discretion exercised by Labour Court by exercising power of judicial review under Article 226 of Constitution of India.

In view of the same, this Court is not inclined to entertain the writ petition.

Accordingly, the writ petition is dismissed. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

12-10-2017
Nvl



