

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.24469 of 2017

ORDER :

The petitioners have filed this Writ Petition challenging the action of respondents in proposing recovery of certain amounts from the petitioners' salaries on the ground that they participated in illegal strike on 04.06.2017 and abstained from duties without prior permission and caused financial loss to the Andhra Pradesh State Road Transport Corporation.

2. The counsel for petitioners has relied upon certain interim orders passed by this Court wherein, according to him, relief has been granted staying the recovery.

3. It is also the contention of petitioners that conciliation proceedings are pending before the Conciliation Officer and deduction of these amounts from the salaries of the petitioners amounts to unfair labour practice and is in violation of Section 9-A of the Industrial Disputes Act, 1947, apart from being violative of Articles 14, 16 and 21 of the Constitution of India.

4. Whether the strike call given by petitioners is valid or not, and whether the assessment of loss by the Corporation is correct or not, and as to whether the Corporation can take the said action during the pendency of conciliation proceedings before the concerned Conciliation Officer, are matters which are more appropriately dealt

with by the Industrial Tribunal or Labour Court constituted under the Industrial Disputes Act, 1947.

5. Therefore, granting liberty to petitioners to approach the said Forum for appropriate relief, this Writ Petition is dismissed. No order as to costs.

6. As a sequel, miscellaneous petitions, pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 25-07-2017

Ndr/*

