

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.5547 OF 2017

Dated:17.02.2017

Between:

Mohd. Basheer Ahmed, S/o. Late Badruddin,
Aged about 57 years, Occ: Driver,
E.No.203172 of TSRTC, Kachiguda Depot,
R/o.H.No.18-12-419/604, Hafezbaba Nagar,
Near Police Station, Kanchanbagh,
Hyderabad

.. Petitioner

And

The Telangana State Road Transport Corporation,
Rep., by its Vice Chairman and Managing
Director, Bus Bhavan, RTC 'X' Roads,
Musheerabad, Hyderabad and others

.. Respondents



The Court made the following:

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ORDER:

This Writ Petition is filed for the following relief:

“...to issue an appropriate writ or order one in the nature of writ of Mandamus declaring that reducing pay by two incremental stages for a period of two years with cumulative effect along with another punishment of without back wages and without attendant benefits as illegal, unjust by setting aside the punishments so far as granted by reducing the increments as well as setting aside the said punishment by granting all attendant benefits subsequently directing the respondents to treat the impugned period as continuity of service for all purposes of retirement but without back wages and pass such other order as orders as may deem fit and proper in the circumstances of the case.”

2. Earlier, the petitioner raised Industrial Dispute before the Labour Court – I, Hyderabad, in I.D.No.48 of 2013. By award, dated 03.08.2016, the Labour Court granted partial relief claimed by the petitioner. The operative portion of the said award reads as under:

“... In the result, respondent is directed to reinstate the petitioner into service as Grade-II Driver by reducing his pay by two incremental stages for a period of two years which shall have its own effect on future increments. The petitioner is not entitled for back wages and attendant benefits, but the respondent has to consider the period from the date of removal till the date of reporting duty as continuity of service for the purpose of calculating the terminal benefits only and it cannot be considered for granting increments.”

3. This award is not challenged by the petitioner. The award has become final. Whereas he is praying to grant the relief, as extracted above, which runs contrary to the award already

passed. Therefore, the relief as sought for in the Writ Petition cannot be granted to the petitioner and the Writ Petition is liable to be dismissed.

4. The Writ Petition is accordingly dismissed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:17.02.2017

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