

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.11327 OF 2001

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.153 of 1997 on the file of the Industrial Tribunal-cum-Labour Court, Godavarikhani, and to quash the award passed therein on 21.9.2000.

2. Heard the learned Government Pleader for Forests and Sri Dasari Vijaya Kumar, learned Counsel for the respondent.

3. It has been contended by the learned Counsel for the petitioners that the respondent-workman was never engaged by the petitioners, and no appointment order was issued to him, and the petitioners did not terminate the services of the respondent-workman, and in spite of the same, the respondent-workman filed I.D.No.153 of 1997 complaining that the respondent-workman was orally terminated from service, and that the Labour Court without considering the contentions raised by the petitioners, passed orders on 21.9.2000 directing that the respondent shall be reinstated into service as daily wage employee and he shall be paid back wages at the rate of Rs.1,040/- per month till the date of reinstatement. Challenging the same, the petitioners filed this writ petition.

4. The learned Counsel for the respondent-workman contended that the respondent-workman was appointed in the year 1992 on consolidated pay at the rate of 450/- initially, and thereafter, it was enhanced from time to time; that the respondent-workman was drawing salary of Rs.1,040/- at the time of his termination and that the Labour Court has rightly ordered reinstatement of the respondent-workman taking into account the entire evidence on record, and the petitioners have not pointed out any irregularity in the award impugned.

5. From the material on record, it is obvious that the respondent-workman worked as Forest Watcher from the year 1992 to 1997 continuously. In view of the same and having considered the rival submissions made by the parties, this Court is of the view that the Labour Court has rightly exercised its powers under Section 11-A of the Industrial Disputes Act. There are no merits in this writ petition.

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

JUSTICE ABHINAND KUMAR SHAVILI

Dated: 16th August, 2018.
Nn.

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

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16/08/2018

Nn.