

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 16926 of 2003

ORDER:

This writ petition is filed seeking to issue a writ of certiorari calling for the record relating to and connected with M.P.No.22 of 2000 on the file of the 2nd respondent-Labour Court and quash the order dated 19.02.2003 passed therein holding it as illegal and arbitrary.

Heard learned standing counsel for petitioners and learned counsel for the 1st respondent-workman.

It has been contended by the petitioner corporation that the 1st respondent workman was engaged as Driver Grade-II in the corporation on 24.01.1997. While so, he was removed from service vide order dated 18.01.1992. Questioning the same, the 1st respondent filed an I.D.No.213 of 1993 on the file of the Labour Court, Hyderabad and the Labour Court while setting aside the orders of removal directed reinstatement of the 1st respondent with continuity of service, notional increments and seniority but without back wages, vide award dated 20.10.1997. Pursuant thereto, the 1st respondent was reinstated into service on 17.01.1998. Thereafter, on medical examination, he was declared unfit for A-1 category (Driver) due to defective vision and on appeal, he was directed for medical examination. On medical examination, he was declared fit for the post of Driver. Basing on the same, the Depot Manager, Kamareddy

issued orders dated 29.11.1999 reinstating the 1st respondent into service. Subsequently, he filed an application in M.P.No.22 of 2000 before the 2nd respondent-Labour Court claiming a sum of Rs.1,65,500/- along with interest at 18% p.a. towards full salary from 11.01.1998 to 18.11.1999, towards difference of wages for four months from 19.11.1999 till 18.03.2000 and bonus for the years 1989-1991. It is contended that the Labour Court, on an erroneous and perverse view of the matter, allowed the application vide orders 19.02.2003. Challenging the same, the present writ petition is filed.

Learned counsel for the 1st respondent has contended that the Labour Court has rightly passed the order in favour of the 1st respondent and, therefore, no interference is called for.

This Court, having considered the submissions made by the learned counsel for the parties, is of the considered view that the Labour Court has rightly passed the order in favour of the 1st respondent. Further, no illegality or irregularity is pointed out by the learned standing counsel for the petitioner corporation in the order passed by the Labour Court. Unless and until any illegality or irregularity is pointed out by the learned standing counsel for the petitioner corporation in the order passed by the Labour Court, this Court cannot interfere with the findings of the Labour Court. There are no merits in the writ petition.

Therefore, the writ petition is dismissed. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

8th November, 2018
cbs



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Writ Petition No. 16926 of 2003
(dismissed)

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