

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 30727 of 2011

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.82 of 2008 on the file of the 2nd respondent-Labour Court, and quash the award dated 05.05.2011 passed therein.

2. Heard Smt. W.V.S. Rajeswari, learned Counsel for the petitioner-Corporation and learned Government Pleader for Labour.

3. It has been contended by the petitioner-Corporation that the 1st respondent-workman was appointed as Non-Technical Masson in the year 1996, and he worked for 240 days continuously in a period of 12 calendar months upto 10.5.2002. Thereafter, the petitioner-Corporation terminated the services of the respondent-workman without giving any notice and without paying any compensation. Aggrieved by the same, the respondent-workman filed the above I.D. The Labour Court set aside the termination order and directed the petitioner-Corporation to reinstate the workman into service with continuity of service, but without back wages and other attendant benefits. Aggrieved thereby, the present writ petition is filed.

4. Learned Government Pleader for Labour has contended that the Labour Court has rightly passed the award in favour of the workman and, therefore, no interference is called for.

5. This Court, having considered the submissions made by the learned Counsel for the parties, is of the considered view that when once the Labour Court had exercised the power under Section 11-A of the Industrial Disputes Act, unless and until any illegality or irregularity is pointed out by the learned Counsel for the petitioner corporation in the award passed by the Labour Court, this Court cannot interfere with the award. There are no merits in the writ petition.

6. Accordingly, 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

13th November, 2018
Nn

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Writ Petition No.30727 of 2011
(dismissed)

13th November, 2018

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