

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.23380 of 2004

ORDER:

This writ petition is filed seeking the following relief:

“For the reasons stated in the accompanying Affidavit, this Hon'ble Court may be pleased to call for the records pertaining to ID No: 112/2001, on the file of the Labour Court-III, Hyderabad Dt. 3-2-2004, published on 30-11-2004 by issuing appropriate writ, order or direction more particularly one in the nature of writ of certiorari and to pass such other order or orders just and necessary in the circumstances of the case”.

2. Heard the learned Standing Counsel for petitioner-Corporation and the learned Counsel for the 2nd respondent-workman.

3. It has been contended by the petitioner-Corporation that the 2nd respondent-workman was appointed as Driver in the Corporation and he was removed from service after conducting enquiry on certain allegations, vide proceedings dated 28.5.1998, and challenging the same, the 2nd respondent raised an industrial dispute in I.D.No.112 of 2001 on the file of the 1st respondent – Labour Court-III, Hyderabad under Section 2-A(2) of the Industrial Disputes Act, and the Labour Court, without properly appreciating any of the contentions raised by the corporation, passed an award dated 03.02.2004 allowing in part and directing the petitioner corporation to reinstate the petitioner 2nd respondent workman into service with continuity of service, with deferment of two (2) annual grade increments with cumulative effect, but without back wages and attendant benefits. Aggrieved thereby, the present writ petition is filed by the petitioner-Corporation.

4. Learned Counsel for the 2nd respondent has contended that the Labour Court has rightly passed the award in favour of the 2nd respondent 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 the Labour Court has rightly passed the award in favour of the 2nd respondent. Further, no illegality or irregularity is pointed out by the learned Standing Counsel for the petitioner-Corporation in the award 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 award passed by the Labour Court, this Court cannot interfere with the findings of the Labour Court. There are no merits in the writ petition and the writ petition is liable to be dismissed.

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.

17th December, 2018

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ABHINAND KUMAR SHAVILI, J