

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.20775 of 2004

ORDER:

When this matter is taken up for hearing, learned counsel for the petitioner contends that the petitioner was appointed as conductor on daily wage basis on 19.3.1985 and subsequently his services were regularized. Learned counsel further contends that the petitioner was removed from service vide proceedings dated 22.7.1986 and he has challenged the orders of removal by filing I.D.No.386 of 1987 before the Industrial Tribunal-cum-Labour Court, Warangal. The Labour Court, vide orders dated 10.2.1988 allowed the I.D. preferred by the petitioner and set aside the orders of removal and directed that the petitioner be reinstated into service, however, without backwages and the petitioner will not earn increments for three years after reinstatement. Thereafter, the petitioner filed M.P.No.19 of 1996 claiming increments as the respondents have not granted the same even after his reinstatement. The Labour Court had disposed of the M.P.No.19 of 1996 vide orders dated 20.2.2001 holding that the petitioner is entitled for increments from 11.7.1992. Learned counsel further contends that the petitioner has filed E.P.No.15 of 2004 seeking increments for the years 1989, 1990 and 1991 and the Labour Court vide orders dated 18.5.2004 had dismissed the E.P. without appreciating that the petitioner is entitled for increments for the years 1989, 1990 and 1991 and, therefore, he contends that

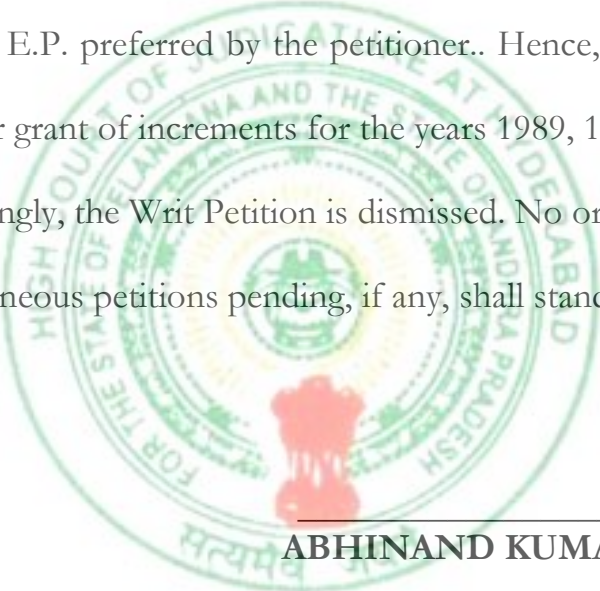
appropriate orders may be passed directing the respondents to release the increments for the year 1989, 1990 and 1991.

Learned Standing Counsel for the respondent Corporation had contended that the Labour Court has rightly dismissed the I.D. preferred by the petitioner holding that the petitioner is not entitled for increments for the years 1989, 1990 and 1991 and that there are no merits in the writ petition and same is liable to be dismissed.

This Court having considered the submissions made by the parties, is of the view that the Labour Court had rightly dismissed the I.D. as well as E.P. preferred by the petitioner.. Hence, the petitioner is not entitled for grant of increments for the years 1989, 1990 and 1991.

Accordingly, the Writ Petition is dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.



ABHINAND KUMAR SHAVILI, J

Date: 18/12/2018

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