

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.21670 OF 2004

ORDER :

This Writ Petition is filed challenging the orders passed by the Industrial Tribunal in I.D.No.139 of 2000, dated 5-4-2004 and to quash or set aside the same by holding it as arbitrary and illegal.

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

It has been contended by the petitioner-Corporation that the 2nd respondent-workman was appointed as a driver in Satyaveedu Depot of APSRTC on 29-3-1996 on daily wage basis. The appointment is subject to verification of the driving License. The workman driving license No.3517/PDL/86, dated 18-6-86 was got verified by the personnel Officer, Tirupathi, through concerned Licensing Authority, Chennai and found that the Driving License was non-genuine one. Basing on the report of the Assistant Licensing Authority, Chennai, a charge sheet was issued. He was removed from service after conducting enquiry, vide proceedings dated 14-3-2000. Without filing any appeal, the 2nd respondent challenged the removal order and raised an industrial dispute in I.D.No.139 of 2000 on the file of the 1st respondent – Industrial Tribunal-cum-Labour Court, Ananthapur, 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 5-4-2004 directing the respondent

to reinstate the claimant into service, with continuity of service, but with half of the back wages and all other attendant benefits. Aggrieved thereby, the present writ petition is filed by the petitioner-Corporation.

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.

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.

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

14th December, 2018

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