

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 12335 of 2002

ORDER:

This writ petition is filed seeking *Writ of Certiorari* calling for the records relating to I.D.No.186 of 1999 (old I.D.No. 372 of 1997), dated 18.9.2001 on the file of the Labour Court II, Hyderabad and quash the same insofar as relating to denial of the back wages for the period of removal of the petitioner, as arbitrary and illegal and consequently to direct the respondent No.1 to reinstate the petitioner into service, with continuity of service and with full back wages and other attendant and service benefits.

Heard Sri B.H.R. Chowdary, learned counsel for the petitioner and Sri N.Vasudeva Reddy, learned Standing Counsel for the respondents.

It is contended by the petitioner that he was initially appointed as Booking Clerk in APSRTC on 15.12.1973. He was promoted as Typist and Senior Assistant in the years 1978 and 1989 respectively. While he was discharging his duties, during September, 1996, he had left the office premises without obtaining prior permission and remained absent. The said conduct of the petitioner was construed as misconduct by the respondents and the disciplinary authority, after conducting detailed enquiry for the proved misconduct, had passed an order imposing the punishment of removal against the petitioner on 11-04-1997. Challenging the same, the petitioner had filed I.D. No.186 of 1999 before the Labour Court II, Hyderabad and the Labour Court *vide* orders dated 18.9.2001 had set aside the orders of removal and directed to reinstate the petitioner into service with continuity of service, but without back wages. The Labour Court had also given

findings that the annual increments shall be stopped for three years, without cumulative effect. Challenging the same, this writ petition is filed.

Learned counsel for the petitioner would contend that the Labour Court had passed an Award interfering with the punishment on the ground of probabilities of the case and while doing the same, the Labour Court ought to have granted the back wages to the petitioner.

Learned Government Pleader for the respondents would contend that the Labour Court, by exercising its powers under Section 11-(A), had rightly passed orders denying the back wages to the petitioner and no interference is called for with the orders of the Labour Court.

Having considered the rival submissions of the parties, this Court is of the considered view that until and unless some grave irregularities or illegalities are pointed out, this Court normally would not interfere with the orders of the Labour Court. Therefore, this writ petition is devoid of merits and is liable to be dismissed.

Accordingly, the writ petition is dismissed.

Miscellaneous petitions pending if any, shall stand closed.

No costs.

ABHINAND KUMAR SHAVILI, J

Date : 12/09/2018

Slk

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Dated: 12/09/2018

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