

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION No. 13428 of 2007**

**ORDER:**

This writ petition is filed seeking to issue a writ of certiorari calling for the record relating to and connected with I.D.No.79 of 2005 on the file of the Labour Court-III, Hyderabad, and quash the order dated 29.09.2006 passed therein holding it as illegal and arbitrary.

2. Heard Sri A. Ravi Babu, learned standing counsel for TSRTC, appearing for the petitioner corporation and learned Government Pleader for Labour appearing for the respondents.

3. It has been contended by the petitioner corporation that the 1<sup>st</sup> respondent was appointed as a Conductor in the corporation on 17.03.1987. While the 1<sup>st</sup> respondent was discharging his duties on 03.06.2003, a check was conducted and the checking officials found certain cash and ticket irregularities. The petitioner corporation construed the conduct of the 1<sup>st</sup> respondent as misconduct and issued a charge sheet and, after conducting a detailed enquiry, imposed a punishment of removal on the 1<sup>st</sup> respondent for the proven misconduct, vide order dated 15.09.2003. Challenging the same, the 1<sup>st</sup> respondent had unsuccessfully preferred an appeal and a review and, thereafter, filed I.D.No.79 of 2005 on the file of the Labour Court-III, Hyderabad, under Section 2-A (2) of the Industrial Disputes Act, 1947. The Labour Court passed an award dated 29.09.2006 in

favour of the 1<sup>st</sup> respondent directing the petitioner corporation to reinstate the 1<sup>st</sup> respondent into service with continuity of service, but without back wages. The same is questioned in this writ petition.

4. Learned counsel for the 1<sup>st</sup> respondent has contended that the Labour Court had rightly passed the award in favour of the 1<sup>st</sup> respondent and, hence, no interference is called for.

5. This Court, having considered the submissions made by the parties, is of the view that exercising its power under Section 11-A of the Industrial Disputes Act, the Labour Court passed the award in favour of the 1<sup>st</sup> respondent. Further, no irregularity has been pointed out by the standing counsel for the petitioner corporation in the impugned award. The writ petition is devoid of merits.

6. Therefore, the writ petition is dismissed. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

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**ABHINAND KUMAR SHAVILI, J**

28<sup>th</sup> August, 2018  
cbs

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Writ Petition No. 13428 of 2007  
(dismissed)

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