

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No.11665 of 2003ORDER:

This writ petition has been filed seeking a writ of certiorari to call for the records related to and connected with the orders passed in I.D.No. 158 of 2001 passed by the Labour Court and quash or set aside the same, holding it as arbitrary, illegal, only to the extent of disallowing the back wages, and consequently direct the respondents to pay the back wages.

2. Heard the counsel for the petitioner and the Standing Counsel for the respondent-Corporation.

3. It has been contended by the petitioner that he was initially appointed as a Driver and after rendering considerable length of service, the respondents had terminated his services without assigning any reasons and without following due process of law. Challenging the same, the petitioner filed I.D.No. 158 of 2001 before the Labour Court under Section 2-A (2) of the Industrial Disputes Act, and the Labour Court, vide orders dated 13.01.1999, was pleased to allow the I.D. preferred by the petitioner. However, while granting relief, the Labour Court had not granted back wages. Challenging the same, the present writ petition is filed.

5. The Standing Counsel appearing for the respondents contended that the Labour Court had rightly passed orders in favour of the petitioner, and as long as no illegality or irregularity has been pointed out in the orders passed by the Labour Court, this Court should not interfere with the orders passed by the Labour Court; that there are no merits in the writ petition, and the same is liable to be dismissed.

6. This Court, having considered the rival submissions, is of the considered view that the Labour Court has rightly denied back wages to the petitioner, and no illegality or irregularity has been pointed out by the petitioner, so as to interfere with the orders passed by the Labour Court, and there are no merits in the writ petition. Accordingly, the writ petition is dismissed. There shall be no order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 20.12.2018
DMG

